Friday, November 25, 1960
Agrahayana 4, 1882(Saka)

LOK SABHA DEBATES

Second Series

Volume XLVII, 1960/1882 (*Saka*)

[*November 14 to 25, 1960/Kartika 23 to Agrahayana 4, 1882* (Saka)]

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LOK SABHA SECRETARIAT
NEW DELHI

CONTENTS

[Second Series, Vol. XLVII, November, 14 to 25, 1960/Kartika 23 to Agrahayana 4, 1882, (*Saka*)]

No. 1.—*Monday, November* 14, 1960/*Kartika* 23, 1882 (Saka)—

	COLUMNS
Oral Answers to Questions—	
Starred Questions Nos. 1 to 9	1—34
Written Answers to Questions—	
Starred Questions Nos. 10 to 42	34—55
Unstarred Questions Nos. 1 to 53	55—84
Obituary References	84–85
Re. Motions for Adjournment	85–86
Re. Motion of Privilege	86—90
Papers laid on the Table	90—95
President's Assent to Bills	95–96
Statement *Re*: Indus Water Treaty	96—105
Committee of Privileges—	
Extension of time for Presentation of Report	105–06
Motor Transport Workers Bill—	
Extension of time for Presentation of Report of Joint Committee	106–07
Mahendra Partab Singh Estates (Repeal) Bill—Introduced	107
Motor Vehicles (Second Amendment) Bill	107—13
Motion to consider	107—13
Clauses 2 to 10 and 1	113
Motion to pass	113
Employees' Provident Funds (Amendment) Bill	113—76
Motion to consider	113—67
Clauses 2 to 6 and 1	167—70
Motion to pass	170
Bilaspur Commercial Corporation (Repeal) Bill	176—79
Motion to consider	176—79
Clauses 1 to 4	179
Motion to pass	179
Indian Aircraft (Amendment) Bill	179—99
Motion to consider, as passed by Rajya Sabha	179—99
Clauses 2 to 6 and 1	199
Motion to pass	199
Preference Shares (Regulation of Dividends) Bill	200—03
Motion to refer to Joint Committee	200—03
Business of the House	204—06
Daily Digest	2

No. 2—*Tuesday, November* 15, 1960/*Kartika* 24, 1882 (Saka)—

Oral Answers to Questions—	
Starred Questions Nos. 43, 44, 46, 45, 47 to 52	217—52

COLUMNS

Written Answers to Questions—
Starred Questions Nos. 53 to 94 . . 252—78
Unstarred Questions Nos. 54 to 138 . . 279—338
Papers laid on the Table . . . . . 339—41
Business Advisory Committee—
Fifty-sixth Report 341
Preference Shares (Regulation of Dividends) Bill—
Motion to refer to Select Committee . . . 341—65
Indian Museum (Amendment) Bill . . . . 365—456
Motion to consider as passed by Rajya Sabha . 365—454
Clauses 2 to 13 and 1 . . . . . 454—56
Motion to pass 456
Companies (Amendment) Bill—
Motion to consider, as reported by Joint Committee . . . 456
Daily Digest . . . . . 457—64

No. 3—Wednesday, November 16, 1960/Kartika 25, 1882 (Saka)—

Oral Answers to Questions—
Starred Questions Nos. 95 to 102 . 465—96
Written Answers to Questions—
Starred Questions Nos. 103 to 114 and 116 to 168 . 496—539
Unstarred Questions Nos. 139 to 185 and 187 to 244 539—602
Motion for Adjournment—
Prime Minister's Statement *re*: Indus Waters Treaty . 602—05
Re: Motion of Privilege . . . . . 605—06
Papers laid on the Table . . . . . 606—12
Committee on Private Members' Bills and Resolutions—
Seventy-first Report 612
Companies Amendment Bill—
Motion to consider, as reported by Joint Committee . 612—746
Daily Digest . . . . . 747—58

No. 4—Thursday, November, 17, 1960/Kartika 26, 1882 (Saka)—

Oral Answers to Questions—
Starred Questions Nos. 169 to 177 . 759—94
Written Answers to Questions—
Starred Questions Nos. 178 to 209 . . . . 794—812
Unstarred Questions Nos. 245 to 309, 311 and 312 . 812—54
Papers laid on the Table . 854—55
Petitions re:
(i) Indian Institute of Archaeology Bill, and . . 855
(ii) National Monuments Commission Bill . . 855
Re: Question of Privilege . . . . . 855—58
Calling Attention to Matter of Urgent Public Importance—
Mining of Coal by private sector . . . . 885—63
Companies (Amendment) Bill—
Motion to consider, as reported by Joint Committee . 863—970
Daily Digest . . . . . 971—76

	COLUMNS
No. 5—*Friday, November* 18, 1960/*Kartika* 27, 1882 (Saka)—	
Oral Answers to Questions—	
Starred Questions Nos. 210 to 216, 218 to 221, 241 and 244 .	977—1015
Written Answers to Questions—	
Starred Questions Nos. 217, 222 to 240, 242, 243 and 245 to 259	1015—36
Unstarred Questions Nos. 313 to 401	1036—93
Papers laid on the Table	1093
Business of the House	1093—94
Religious Trusts Bill—	
Estension of time for presentation of Report of Joint Committee	1094
Bills Introduced—	
1. Preventive Detention (Continuance) Bill .	1095—1103
2. Forward Contracts (Regulation) Amendment Bill	1103—04
Companies (Amendment) Bill—	
Motion to consider, as reported by Joint Committee	1104—10
Committee on Private Members' Bills and Resolutions—	
Seventy-first Report	1107
Resolution *re*: Target of Shipping—Withdrawn .	1107—1212
Resolution *re*: Nationalisation of General Insurance . .	1212
Daily Digest	1213—18
No. 6—*Monday, November* 21, 1960/*Kartika* 30, 1882 (Saka)—	
Oral Answers to Questions—	
Starred Questions Nos. 260 to 269	1219—53
Written Answers to Questions—	
Starred Questions Nos. 270 to 312 and 314 to 324	1253—87
Unstarred Questions Nos. 402 to 499 and 501 to 405	1287—1347
Motions for Adjournment—	
1. Explosion in Bombay	1347—50
2. Overturning of dredger in the Hooghly; and . . .	1350—53
3. Reported Communist propaganda in northern border districts	1353—62
Papers laid on the Table	1363—64
Business Advisory Committee—	
Fifty-seventh Report .	1364
Mahendra Partab Singh Estates (Repeal) Bill . . .	1365—1432
Motion to consider	1365—1431
Clauses 2, 3 and 1	1431—32
Motion to pass	1432
Motion *re*: Annual Report of Indian Refineries Limited .	1433—76
Daily Digest	1477—84
No. 7—*Tuesday, November* 22, 1960/*Agrahayana* 1, 1882 (Saka)—	
Oral Answers to Questions—	
Starred Questions Nos. 326 to 335 and 337 .	1485—1521
Written Answers to Questions—	
Starred Questions Nos. 325, 336 and 338 to 362 . . .	1521—36
Unstarred Questions Nos. 505 to 548, 550 to 577 and 579 to 581	1537—79

COLUMNS

Motions for Adjournment—
1. Derailment of patrol train. . . . . 1579—83
2. Alleged serious difference between the Centre and West Bengal Government over the Beru Bari issue . . . . . 1583—87
3. Alleged failure of constitutional machinery in some States . . . . 1587—89

Papers laid on the Table . 1589—90

Election to Committee —
1. Committee on Estimates . . 1591
2. Committee on Accounts . 1591—92

Bills introduced—
1. Railway Passenger Fares (Amendment) Bill . . . 1593
2. Industrial Employment (Standing Orders) Amendment Bill 1594

Business Advisory Committee—
Fifty-seventh Report . . 1594—97

Motion re: International Situation 1597—1704

Daily Digest . . . . . 1705—10

No. 8 —*Wednesday, November*, 23, 1960/*Agrahayana* 2, 1882 (Saka)—

Oral Answers to Questions—
Starred Questions Nos. 364, 366, 368 to 375 and 377 to 382 . 1711—48

Written Answers to Questions—
Starred Questions Nos. 363, 365, 367, 376, 383 to 389 and 391 to 404 . 1749—65
Unstarred Questions Nos. 582 to 673 . . . . . 1765—1820

Papers laid on the Table . . . . . 1820—24

Committee on Private Members' Bills and Resolutions—
Seventy-second Report 1824

Motion *re*: International Situation . . 1824—1962

Daily Digest. . . . . 1963—72

No. 9 —*Thursday, November* 24, 1960/*Agrahayana* 3, 1882 (Saka)—

Oral Answers to Questions—
Starred Questions Nos. 405, 407 to 414, 416 and 417 1973—2005

Written Answers to Questions—
Starred Questions Nos. 406, 415 and 418 to 452 2005—2006
Unstarred Questions Nos. 674 to 778 . . 2026—2084

Motions for Adjournment—
1. Assault by Congolese soldiers on Indian officers serving with the U.N. at Leopoldville . . . . . 2085—99
2. Setting up of rocket bases and launching of rockets in Tibet 2099—2100

Papers laid on the Table . . . . . 2100—03

Statement *re*: Madhya Pradesh Food Zone . 2103—05

Companies (Amendment) Bill —
Clauses 2 to 8, 10, 12, 15, 16, 9, 11, 13, 14, 17 to 23, 26 to 41, 43, 46 to 54, 24, 25, New clause 40-A, 42, 44, 45, 55, 56, 58, 60 to 64, 67 to 69, 71, 73, 76, 78, 57, 59, 65, 66 and 70 . . . . . 2106—2226

Business of the House . . . . . 2208—09

Daily Digest . . . . . 2227—34

	COLUMNS
No. 10—*Friday, November* 25, 1960/*Agrahayana* 4, 1882 (Saka)—	
Oral Answers to Questions—	
Starred Questions Nos. 453, 455, 456, 458 to 465, 482, 491 and 466	2235—70
Written Answers to Questions—	
Starred Questions Nos. 454, 457, 467 to 481, 483 to 490 and 492	2270—87
Unstarred Questions Nos. 779 to 843	2287—2327
Motion for Adjournment—	
Reported disturbances in a colliery near Asansol	2327—32
Papers laid on the Table	2333
Calling Attention to Matter of Urgent Public Importance—	
Import of Coconut oil and Copra	2334-35
Business of the House	2335—38
Tripura Excise Law (Repeal) Bill—Introduced	2339
Companies (Amendment) Bill as reported by Joint Committee—	
Clauses 70, 72, 74, 75, 77 and 79	2339—92
Commitee on Private Members' Bills and Resolutions—	
Seventy-second Report	2393
Bills introduced—	
(i) Industrial Disputes (Amendment) Bill (*Insertion of new Chapter VAA*) by *Shri T.B. Vittal Rao*	2393
(ii) Employees Provident Funds (Amendment) Bill (*Substitution of new section for section* 6) by *Shri T. B. Vittal Rao*	2394
(iii) Charitable Trusts Bill *by Shri Ram Krishan Gupta*	2394
Ban on Export of Cattle Feed Bill by Shri Jhulan Sinha—Withdrawn—	
Motion to consider	2395—2429
Abolition of Employment of Casual Labour Bill by *Shri Aurobindo Ghosal*—	
Motion to consider	2429—52
Daily Digest	2453—58

N.B.—The sign + above a name of a member on questions, which were orally answered, indicates that the Question was actually asked on the floor of the House by that Member.

GMGIPND—LS II—1372 (Ai) LSD—3-12-60—901.

LOK SABHA

Friday, November 25, 1960/ Agrahayana 4, 1882 (Saka).

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

MEMBER SWORN

Shri Bhawani Prasad (Sitapur—Reserved—Sch. Castes).

ORAL ANSWERS TO QUESTIONS

Discovery of Sulphur Pyrites in Bihar

+

*453. **Shri D. C. Sharma:**
Shri Khushwaqt Rai:
Shrimati Ila Palchoudhuri:
Shri Raghunath Singh:
Shri Amjad Ali:
Shri Sadhan Gupta:
Shri P. K. Deo:
Shri Subiman Ghose:
Shri Anirudh Sinha:
Shri Aurobindo Ghosal:
Shri B. Das Gupta:
Shri Wodeyar:
Shri N. M. Deb:
Shri Koratkar:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that vast sources of sulphur pyrites have been discovered in the Amjore area in Bihar;

(b) if so, whether any quantitative and qualitative estimates of the new deposits have been made;

(c) the result thereof; and

(d) the industries that would be greatly benefited by it?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). A statement is laid on the Table of the House.

STATEMENT

According to the report rendered by the Indian Bureau of Mines, who carried out the investigations, reserves of sulphur pyrites of the order of about 8 million tons have been discovered in the Amjore area in Bihar State. The probable reserves are thought to be considerably larger.

The ore is reasonably rich in its sulphur content and analyses as follows:

(i) Sulphur varies from 32 to 49 per cent. (but close to 40 per cent S).

(ii) Iron varies from 29 to 43 per cent (but close to 38 per cent).

(iii) Arsonic varies from traces to 0.03 per cent.

(iv) Phosphorus varies from traces to 0·03 per cent.

(v) Cu, Co, Ni etc., are present in traces only.

Sulphur forms the basis of almost all chemical industries, particularly of fertilizers.

Shri D. C. Sharma: May I know what steps Government is going to take to exploit these results?

Shri Manubhai Shah: The present approach is that as the finds have been much more than what we were even optimistically estimating them to be, we are going to consider the setting up of a big smelter of 400 tons of

sulphur per day which will give about a lakh and a quarter tons of sulphur. We are also thinking of a setting up a thousand ton per day sulphuric acid plant and to mine more ores, so that the various sulphuric acid consuming industries may consume this ore instead of imported sulphur.

Shri D. C. Sharma: May I know what arrangements will be made for the transport of this ore, this sulphur pyrites, from the mines to the place of destination?

Shri Manubhai Shah: The usual railway transport, because it is not a combustible item in the normal sense of the term. With slight precautions sulphur can be transported easily.

श्री मा० ला० द्विवेदी : मैं यह जानना चाहता हूं कि यह जो सल्फर प्रायराइट्स वहां पर मिला है तो उस के प्रयोग के लिये सरकार ने क्या प्रबन्ध किया है और क्या उस को एक्सपोर्ट भी किया जायगा ?

श्री मनुभाई शाह : हां अभी फिलहाल दो टैक्नीशियन्स को नार्वे भेजा है और वह पिछले २२ दिन से वहां हैं । ४०० टन ओर्स वहां पर भेजा था और उस का बड़ा सक्सैस-फुल एक्सपेरीमेंट किया जा चुका है और हम २००० से ५००० टन ओर्स और भेजने की सोच रहे हैं ।

डा० राम सुभग सिंह : अभी मंत्री महोदय ने कहा कि ८०० टन ओर नार्वे भेजा गया और ५००० टन और भेजा जायगा तो क्या मैं जान सकता हूं कि इस पायराइट्स की जांच के बाद इस गंधक फैक्टरी का निर्माण नार्वे में कितने दिनों के अन्दर हो जायगा और कब तक यहां पर अमजोर में उस को लगाने का काम शरू हो जायगा ?

श्री मनुभाई शाह : वैसे दो साल में हो जाना चाहिये लेकिन चूंकि ओर्स काफी मात्रा में है इसलिये हम ने सोचा कि दो स्टीमर भर कर नार्वे भज दें जिस से १२५ टन के बजाय हम ४०० ,५०० टन के स्मैलटर लगा लें जिस से कि बड़ी तादाद में उत्पादन कार्य आरम्भ हो सके और इसलिये हो सकता है कि दो साल की जगह तीन साल का समय लग जाय ।

Pandit D. N. Tiwari: What will be the estimated cost of this plant?

Shri Manubhai Shah: Now the estimates will all have to be revised. At one stage we were thinking that it would cost seven to eight crores of rupees. But in view of the larger possibilities, the cost may be higher.

Shri P. K. Deo: May I know what amounts of this sulphur product are imported into the country every year, and if by the discovery of these mines this country is going to be self-sufficient in the production of all our sulphur requirements?

Shri Manubhai Shah: Presently we are importing about 2,50,000 to 3,00,000 tons of sulphur, and by the end of the Third Plan we expect that the demand will be round about 6,00,000 tons per year. The present estimates are, if these ores are properly worked we might reach about fifty per cent national self-sufficiency by the end of the Third Plan and, maybe, complete self-sufficiency in the Fourth Plan.

Dr. Ram Subhag Singh: As it has just now been disclosed that large deposits of sulphur ore have been found at Amjore and this is one of the basic things needed for manufacture of fertilizers, may I know whether, along with the setting up of this sulphur plant, Government will also propose to set up any fertilizer plant also?

Shri Manubhai Shah: It will certainly help the Bihar phosphatic fertilizer factory which is being set up by the Bihar Government in the public sector there and also Sindri, and also various fertilizer plants one of which is being established in every State.

सेठ गोविन्द दास : जहां तक गंधक का सवाल है बिहार के सिवाय इस देश में

क्या और भी खोज हो रही है कि गंधक कहां कहां है और क्या इस सम्बन्ध में कुछ ऐसी कार्यवाही की जाने वाली है कि हमारे देश में हम को बाहर से गंधक न मंगाना पड़े ?

श्री मनुभाई शाह : वही आजकल हमारी कोशिश हो रही है क्योंकि सल्फर इतना स्ट्रैटजिक मैटीरियल है कि शांति के समय और आपत्तिकाल अर्थात् युद्धकाल में वह हमारे लिये बहुत उपयोगी वस्तु है और काम में आने वाला पदार्थ है । मैसूर में भी उस की तलाश की जा रही है, आसाम में भी तलाश की जा रही है और मध्य प्रदेश में भी तलाश की जा रही है ।

श्री रघुनाथ सिंह : क्या जबलपुर में नहीं है ?

Shri T. B. Vittal Rao: The hon. Minister has stated that sulphur will help the Sindri Fertilizers. May I know if the use of gypsum which it is taking from Rajasthan will be completely stopped?

Shri Manubhai Shah: No, Sir. There is always a scheme for expansion of these plants and the present resources need not be disturbed. This will augment the national requirements.

Shri D. C. Sharma: May I know if the discovery of this abundant supply of sulphur will lead to the reduction in price of fertilisers?

Shri Manubhai Shah: It may not consequentially lead to that because, as the House knows, natural deposits of sulphur throughout the world are so stupendous that the mining cost is rather less. Here what we have located is a combined sulphur iron pyrites which is a bit difficult to process. That is more expensive. The prices may equate if not be lower than the international price.

Shri Raghunath Singh: What is the sulphur requirement of India and the quantity that we are importing at present? When will we be self-sufficient?

Shri Manubhai Shah: I have just now answered that question in detail.

सेठ अचल सिंह : सलफ़र पाइरेट्स में प्योर सलफ़र का कितना परसेंटेज होता है ?

श्री मनुभाई शाह : मैं ने अभी बताने की कोशिश की है कि पहली वैरायटी में ४० प्रतिशत सलफ़र है, दूसरी वैरायटी में ३८ प्रतिशत और आम तौर पर ३० परसेंट है ।

Land Routes to Goa

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*455. **Shri Raghunath Singh:**
Shri Nardeo Snatak:
Shri P. K. Deo:
Shri Rameshwar Tantia:
Shri Yadav Narayan Jadhav:
Shri Achar:
Shri Assar:
Shri Mohan Swarup:
Shri Hem Barua:
Pandit D. N. Tiwari:
Shri Agadi:
Shri Wodeyar:
Shri D. C. Sharma:

Will the **Prime Minister** be pleased to refer to the reply given to Starred Question No. 383 on the 12th August, 1960 and state whether the two new land routes to Goa improving travel facilities have since been opened?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): Yes; the two new routes were declared open for the movement of persons to and from Goa with effect from 1st October, 1960. However, traffic through these routes has not yet commenced as no corresponding facilities have been made available by the Portuguese authorities in Goa on their side of the border.

Shri Raghunath Singh: May I know whether there is any possibility to open the route in the near future?

Shrimati Lakshmi Menon: As far as we are concerned, the routes have been open since the 1st October. It is for the Portuguese Government to decide whether they should provide

the necessary facilities so that people could come and go through these routes.

Shri Jaganatha Rao: May I know whether the control of these two routes has been handed over to the Reserve Police and has been taken away from the Customs Department?

Shrimati Lakshmi Menon: Yes, Sir.

Dr. Vijaya Ananda: Is the opening of new land routes an improvement in relations?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): If the hon. Member is fair to himself, he can himself judge whether it will or not.

Shri Hem Barua: May I know whether it is not a fact that when originally the routes to Goa were closed it was done with the object of putting pressure on Portugal to quit Goa? If so, when these routes are now open, does it mean that conditions have altered?

Shri Jawaharlal Nehru: Conditions, of course, always go on altering everywhere. But that does mean that we want to romove restrictions—it has less to do with Government—on the people. On careful consideration we considered that students and others who come and go should not be obstructed or prevented from coming or going or put to some difficulty in roundabout ways. That certainly was a point before us.

Shri Hem Barua: May I know whether it is a fact that foreign businessmen are proposed to be allowed through these routes with visas? If so, does it mean that we encourage foreign trade through our routes with Goa?

Shri Jawaharlal Nehru: I do not know, Sir. Foreign businessmen can go, I presume, as an individual can go if he has got the necessary papers. Foreign businessmen as such are not barred from going. They can, of course, go to Goa by sea all the time they like. They can come presumably to India—to Bombay or elsewhere—also without any difficulty. So there is no particular advantage in barring them from crossing that route. But I am not sure that they are. I have not heard of many foreign businessmen going there.

Shri Hem Barua: May I know whether it is not a fact that the original route *via* Castle Rock was at least sufficient for checking smuggling that is going on? If it is so, why should we have two more routes?

Shri Jawaharlal Nehru: It does not affect that it was considered sufficient. In spite of every effort, smuggling has been going on and it was considered that under the new arrangements made there will be a greater check on smuggling.

Rebate to Handloom Weavers in U.P.

*456. **Shri S. M. Banerjee:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether huge amount as arrears of rebate to handloom weavers' co-operative societies in U.P. is outstanding for payment;

(b) if so, the amount outstanding as arrears on the 1st October, 1960;

(c) the reasons for the delay in payment; and

(d) the steps taken by Government to pay regularly?

The Minister of Commerce (Shri Kanungo): (a) to (d). The information is being collected from the Uttar Pradesh Government and will be laid on the Table of the House.

Shri S. M. Banerjee: May I know whether information is being collected or whether any information exits about the arrears of rebate on 1st October, 1959, even?

Shri Kanungo: Regarding the arrears before 1959 accounts were submitted by the U.P. Government but there were certain discrepancies.

They were sent back for reconciling those discrepancies. When that is done the arrears will be sanctioned. From 1960-61 onwards a new procedure has been developed by which the past process of reconciling accounts will not be necessary. Ways and means provisions have been made and the State Governments can disburse them on their own account.

Pandit D. N. Tiwari: May I know whether it is a fact that in almost every State, specially in Bihar, large amount of arrears is due to handloom weavers' co-operatives? If so, when is it going to be paid?

Shri Kanungo: I do not know the exact amount. During the year 1958-59, an attempt was made to clear the arrear claims of rebate on the sales of handloom cloth in all States. Accordingly, an amount of Rs. 173 lakhs was sanctioned in 1959. That has covered a lot of arrears. But certain amounts still remain which can be adjusted only if the reconciled accounts are available.

Shri Tangamani: The hon. Minister has stated that the new scheme is in operation for 1960-61. I would like to know whether the rebate will be paid to them as soon as the stock is cleared or, say, within a period of three months of that.

Shri Kanungo: That will be for the State Government to decide, namely, what the quantum of rebate will be and what the varieties will be on which rebate will be admissible. They can disburse it out of the ways and means funds without reference to the Central Government.

सेठ अचल सिंह : क्या माननीय मंत्री महोदय को पता है कि जो हैंडलूम कोआपरेटिव सोसायटीज़ हैं, उन में से बहुत सी सोसायटीज़ ग़लत कैश-मीमों दे कर रीबेट हासिल कर रही हैं ? यदि हां तो क्या इस की जांच कराई जा रही है ?

श्री कानूंगो : यह तो खबर नहीं है ।

Shri Ram Krishan Gupta: In view of the fact that a large amount is outstanding against other States also, may I know whether information will also be collected about other States?

Shri Kanungo: Yes, Sir. All State Governments have been asked to give reconciled accounts for all their arrears before 1960.

Shri S. M. Banerjee: May I know whether the adoption of the new procedure will have any difficulty, for example, delay in payment of rebate?

Shri Kanungo: The new procedure will not create those difficulties.

Coal-Field Recruiting Organisation

*458 { **Shri Indrajit Gupta:** / **Shri Yadav Narayan Jadhav:**

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether the Industrial Committee for Coal Mines has recommended abolition of the Coal Field Recruiting Organisation's powers of control and regulation over the labour recruited by it; and

(b) whether this recommendation has been implemented in the Raniganj coal belt?

The Deputy Minister of Labour (Shri Abid Ali): (a) Yes.

(b) Not yet.

Shri Indrajit Gupta: Despite the recommendation that this coalfields recruiting organisation should be abolished the fact of the matter is that in a large number of collieries this organisation is continuing and the number of workers recruited and controlled there is increasing. What steps is Government taking to see that that recommendation is implemented?

Shri Abid Ali: The scheme which will be framed in this behalf should ensure continuity of employment to workers from Gorakhpur. That matter is being considered in consultation with the State Governments concerned. After this is done, further

action will be taken. At present there is complete peace in this area.

Shri Indrajit Gupta: It is not a question of continuity of employment of Gorakhpur labour. The question is, there is a separate system by which they are kept in separate camps under supervisors and treated practically like forced labour. I want to know whether the recommendation that there should be no distinction between them and other labour has been implemented or not?

Shri Abid Ali: What the hon. Member said was the position 10 years ago: not now. Of course, they live separately and they have their own cooking arrangements. There was an informal committee of Members of Parliament which toured this area. It was found that most of these allegations were baseless. With regard to this particular organisation, I have said that after the scheme is formulated which will ensure continuity of employment, further action will be taken.

श्री रामसिंह भाई वर्मा : क्या यह सही है कि मध्यप्रदेश गवर्नमेंट ने भी इस प्रथा का विरोध किया है और अभी भी वहां की ट्रेड यूनियन से बराबर माननीय मंत्री जी को लिखा हुआ जा रहा है कि एक प्रथा वहां जारी है और उस से मजदूरों को नुक्सान पहुंच रहा है ?

श्री आबिद अली : ऐसा लिखा गया है वहां से ।

Shri T. B. Vittal Rao: It was recommended that this organisation for Gorakhpur labour recruitment should be taken over by the Directorate of Employment and Resettlement. What is the delay in taking over by this Directorate?

Shri Abid Ali: That is exactly what I have said, earlier. A scheme is being prepared which would ensure continuity of employment. That is being considered.

Transistor Radios

*459. **Shri Ram Krishan Gupta:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) at what stage is the proposal to manufacture transistor radios in our country; and

(b) whether any definite scheme has been finalised in this regard so far?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). Several of the existing manufacturers of radio receivers who were permitted to take up manufacture of transistorised radio sets have commenced production of transistor sets. Some have finalised their arrangements and are expected to commence production of transistor radios early in 1961.

Shri Ram Krishan Gupta: May I know whether there is any proposal to set up such a factory in the public sector?

Shri Manubhai Shah: No, Sir.

Shri Ansar Harvani: May I know whether it is a fact that in the transistors that are manufactured here, the parts are imported and harly any part is manufactured here?

Shri Manubhai Shah: Transistors are something different from transistorised radios, as the House will appreciate. We have licensed seven schemes for the manufacture of transistors. Only the rare metals, and rare metal parts will be imported. The rest will be manufactured in the country.

Shri Ram Krishan Gupta: May I know whether transistors are imported at present and to what extent?

Shri Manubhai Shah: Presently, we have permitted all the radio manufacturers in the country, as the House knows and their number is more than 200, small-scale and large-scale ones to utilise 50 per cent of the foreign exchange allowed to them every half year for the import of transistor components.

श्री अ० मु० तारिक : क्या यह हकीकत है कि इस वक्त हिन्दुस्तान में ट्रांसिस्टर सैट बहुत मकबूल हो रहे हैं और ट्रांसिस्टर सैट काफी हद तक स्मगल कर के यहां लाये जाते हैं ? अगर यह हकीकत है तो इस सिलसिले में हुकूमत ने क्या कदम उठाया है ?

[کیا یہ حقیقت ہے کہ اس وقت ہندوستان میں ٹرانسسٹر سیٹ بہت مقبول ہو رہے ہیں اور ٹرانسسٹر سیٹ کافی حد تک سمگل کرکے یہاں لائے جاتے ہیں - اگر یہ حقیقت ہے تو اس سلسلے میں حکومت نے کیا قدم اُٹھایا ہے -]

श्री मनुभाई शाह : यह बात सही है कि लोगों में ट्रांसिस्टर बहुत लोकप्रिय हो रहे हैं । इसी वजह से हम ने यह तय किया है कि कम से कम ५० परसेंट की मिकदार में जो रेडियो बनें व ट्रांसिस्टर के बनें । इस के अलावा जैसे हाउस को पता है, भारत इलैक्ट्रोनिक्स ने भी एक स्कीम बनाई है जिस के द्वारा रेडियो वाल्व और ट्यूब्स वहां बनेंगे, और ट्रांसिस्टर्स भी वे बनायेंगे, जिस की स्कीम विचाराधीन है ।

Mr. Speaker: Shri Subbiah Ambalam.

Shri A. M. Tariq: He has not replied to my question.

Mr. Speaker: I have called Subbiah Ambalam.

Shri Subbiah Ambalam: The hon. Minister just now said that seven schemes have been licensed. May I know the annual capacity of these 7 schemes and whether any assessment has been made of the requirements of transistor sets in India?

Shri Manubhai Shah: We have made some assessment. It is our belief that more than 5 million transistors per year will be required by the end of the Third Plan. So far, we have only licensed 3·5 million transistor manufacturing capacity. More is already coming into operation. It is our intention freely to permit people who want to manufacture transistors if they apply to the Government to permit them to do so.

Regarding the question which the previous hon. Member thought that I had overlooked, the question of smuggling would not naturally arise. What is coming in the country is a matter of personal luggage or baggage from visitors of India who go to foreign countries. They bring one or two sets. Otherwise, it has not come to our notice of any large-scale illicit smuggling of transistorised radio sets.

Shri C. R. Pattabhi Raman: May I know if the Government are in touch with the latest advances made in transistor radios in Japan—the day to day advance there?

Shri Manubhai Shah: Yes. We are fully in touch and therefore, we have proposed in the Third Plan that some positive steps should be taken for the manufacture of both pocket transistor radios as well as portables within the reach of the ordinary buying citizen.

Shri Jinachandran: What is the black market price of a transistor radio?

Mr. Speaker: Shri Thirumala Rao. (No answer was given).

Shri Thirumala Rao: May I know whether the Government control the price of transistor radios and if so, what is the minimum and the maximum price?

Shri Manubhai Shah: It is not proposed to control the price as such. We did evolve in the early part of the current year, as the House is aware, a scheme for a cheap radio set which will sell at about Rs. 125. We tried to work out the cost in consultation, with the Ministry of Information and Broadcasting Dr. Keskar has been

taking great personal interest in this. We found that it is not possible to reduce the price to less than Rs. 125. Every manufacturer has undertaken that at least 10 per cent of the sets will be in the category of Rs. 125 and less. There is an incentive scheme also granted by the Government by which 30 per cent of the production will be in this range.

Shri Thimmaiah: Is it a fact that the Government has allowed 50 per cent of the components to be imported for the public sector whereas cent per cent of the components are allowed for the private sector. Why this distinction?

Shri Manubhai Shah: There is no company as such in the public sector unless the hon. Member refers to the Mysore State-owned factory. Bharat Electronics does not build radios. It is going to manufacture valves required by radios which are normally manufactured by commercial manufacturers.

Some Hon. Members: Remco.

Shri Manubhai Shah: That is Mysore Government's. They are all treated on par. None is allowed 50 per cent and nobody is allowed 100 per cent. We have given stern instructions to all radio manufacturers that by December 1961, not a single part will be allowed to be imported.

Heavy Engineering Corporation

*460. **Shri Shree Narayan Das:**
Shri Radha Raman:
Shri R. C. Majhi:
Shri Subodh Hansda:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether an assessment of the number of workers, skilled, semiskilled and unskilled required by the Heavy Engineering Corporation, Ranchi has been finalised;

(b) if so, the number in each category required;

(c) the extent to which recruiment has been made to each category;

(d) whether arrangements for their training, both short term and long term, have been finalised; and

(e) if so, the nature of such arrangement?

The Minister of Industry (Shri Manubhai Shah): (a) to (e). A statement is laid on the Table of the House.

STATEMENT

It is estimated that 10,883 workers will be required for the Heavy Machine Building and Foundary Forge Plants at Ranchi and for the Coal Mining Machinery Plant at Durgapur, by the Heavy Engineering Corporation administering these projects. The number of workers required for the various categories is as follows:—

Highly skilled	2,283
Skilled	5,649
Semi-skilled	1,626
Unskilled	1,325
TOTAL	10,883

While the actual recruitment of workers has not yet been made, the preliminary arrangements for the same and training inside India as well as in U.S.S.R. and Czechoslovakia are being worked out by the Corporation. 246 workers will be sent to Russia and Czechoslovakia for specialised training. Industrial Units in the public and private sectors are being approached for providing training facilities to the technical personnel. As a long-term training programme, a scheme for the setting up of a Central Training Institute at Ranchi for training supervisory staff and workers is also being worked by the Corporation.

Shri Radha Raman: May I know whether the Government is considering that in such Government undertakings, workers, skilled and semi-skilled, who are employed there are recruited from round about the area or from all over the country?

Shri Manubhai Shah: As the hon. House is aware, I had the privilege of placing on the Table of the House a statement during the last session in which the broad policy of recruitment had been clearly laid down. There are certain categories where certain preferences are given for the local people. In the case of skilled people, that is not the criterion on which recruitment is done. Recruitment is done on the basis of competence and ability.

Shri Radha Raman: May I know whether in the Heavy Engineering Corporation, Government is calling some experts from outside India and if so, what will be their number?

Shri Manubhai Shah: As the hon. Member is aware, actually speaking, we are collaborating with U.S.S.R. as far as the machine building plant is concerned, with Czechoslovakia for the foundry forge and for the mining equipment with U.S.S.R. Therefore, it is estimated that while the construction stage is there, which will work up to 1963 and 1964, about 1,500 foreign experts will be there at one time or othehr. As soon as the plant goes into production, practically the number will reduce to a very small one.

श्री रामसिंह भाई वर्मा : जो श्रमक गांधी सागर, हैवी इलैक्ट्रोनिक्स भोपाल और भिलाई इत्यादि में सरपलस और बेकार हो रहे हैं, उन्हें इस में लगाने में और ट्रेनिंग देने में क्या प्राथमिकता दी जायेगी ?

श्री मनुभाई शाह : यह बहुत पहले से तय है कि जहां जहां पब्लिक सैक्टर कारपोरेशन्स का काम खत्म होने को आता है वहां की जो टैम्पोरेरी और अनस्किल्ड लेबर होती है उस को दूसरी पराजैक्ट्स में लेने की कोशिश की जाती है । उस नीति को यह कारपोरेशन भी, जो कि बहुत बढ़ी कारपोरेशन हो रही है, फालो करेगी ।

Shri Jaipal Singh: While the hon. Minister was at Ranchi last, he gave an assurance that other things being equal, the local people, more so, the displaced persons would receive something like a priority as it were. May I know whether he is satisfied that the assurance is being implemented in the Heaving Engineering Corporation?

Shri Manubhai Shah: Not only am I satisfied, but the hon. Member had once drawn our attention to that. Again, we went into all the figures. I can assure him and the House that all these instructions are being implemented very very carefully with great emphasis that those who have been displaced as a result of the acquisition of the land should naturally be given preference in employment in that factory. That is being implemented. The question is much wider than purely a few displaced persons. That is where the instructions laid down in the letter laid on the Table of the House are being carried out.

Shri Jaipal Singh: Recently, the Scheduled Castes and Scheduled Tribes Commissioner visited the place. We found that only 86 persons among the displaced persons were employed. This matter has been brought to the notice of the Heavy Engineering Corporation. I find that a certain number are going to be sent to Russia and Czechoslovakia for specialised training. May I know whether the local people, if they qualify and make the grade, will also receive similar generosity from him?

Shri Manubhai Shah: It goes without saying that before a selection board everybody stands an equal chance, and therefore the hon. Member need not have any fear. We want to emphasize that these are national projects, and the House will appreciate the feeling that all the nationals are equally entitled to consideration.

Shri Tangamani: From the statement I find industrial units in the public and private sectors are also being approached for providing training facilities to these personnel. I would like to know how many of the private units and how many of the public sector units have agreed to train these personnel, and how many have been sent for training this year.

Shri Manubhai Shah: As the statement shows, the requirement is going to be more than 11,000. After the projects are expanding, the requirement may go up due to expansion to 18 to 20 thousand people. So, training will have to be found from all the sectors and all the factories that are capable of training them. So far we have not broken up the list into private and public sector units, but most of the leading engineering units in the private sector, I am glad to say, have offered their voluntary co-operation to train our boys.

Shri Indrajit Gupta: In view of the very great importance of this project and the relative shortage of skilled engineering workers in the country, will Government keep in mind the fact that the pay scales given to skilled workers here should not be so low that at the first opportunity they desert this public sector project and go over to the private sector because they are offered higher wages there?

Shri Manubhai Shah: It is not my intention to deny anything that the hon. Member says, but we are proud that we are paying them well, and that is why all the public sector projects are being built up with very great speed and according to schedule, and sometimes even before schedule.

श्री रामसिंह भाई वर्मा : जिस रिक्रूटमेंट नीति का मंत्री महोदय ने निश्चय किया है और सेलेक्शन बोर्ड का जो तरीका ठहराया है तथा कमेटियों को सूचना भी भेजी गई है, क्या आप उस सेलेक्शन बोर्ड में ट्रेड यूनियनों का प्रतिनिधि भी रखने की कृपा करेंगे ?

श्री मनुभाई शाह : सेलेक्शन में ट्रेड यूनियनों को कोई तजुर्बा नहीं है । वैसे बोर्ड आफ डाइरेक्टर्स पर हम लेबर का भी रिप्रेजेन्टेटिव लेते हैं लेकिन हम लोकल स्टेट के नामजद किये हुए अफसर को लेते हैं ताकि स्थानीय सरकार को हम विश्वास में ले सकें ।

श्री रामसिंह भाई वर्मा : क्या आप स्थानीय ट्रेड यनियनों को विश्वास में लेने की आवश्यकता नहीं समझते ?

श्री मनुभाई शाह : ऐसी बात तो नहीं क्योंकि ट्रेड यनियनें भी रिक्रूटमेंट में हिस्सा ले सकती हैं, लेकिन आज कल बहुत सी जगहों में रिक्रूटमेंट करना होता है । इस लिये एक स्थानीय ट्रेड यूनियन का रिप्रेजेन्टेशन होने से सारा काम नहीं चल सकता । इस लिये ऐसा आदमी लिया जाता है जो एक्सपर्ट हो, जांच पड़ताल करने के काबिल हो और स्टेट गवर्नमेंट का विश्वास रखता हो ।

सरकारी क्वार्टर देने वाली समिति

*४६१. { **श्री भक्त दर्शन** :
श्री मुहम्मद इलियास :
श्री अजीत सिंह सरहदी :

क्या निर्माण, आवास और संभरण मंत्री ३० अगस्त, १९६० के अतारांकित प्रश्न संख्या १७८१ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली और नई दिल्ली में सरकारी क्वार्टर देने आदि के लिये नियुक्त की गई समिति ने इस बीच अपना कार्य पूरा कर लिया है ;

(ख) यदि हां, तो क्या समिति की रिपोर्ट अथवा उसके सारांश की एक प्रति टेबल पर रखी जायेगी ; और

(ग) समिति की सिफारिशों पर क्या कार्यवाही की जा रही है ?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes, Sir.

(b) & (c). The recommendations made by the Committee are under the consideration of the Government. The report along with the Government's decision will be placed on the Table of the House in due course.

Shri Raghunath Singh: The question is in Hindi, Sir.

श्री भक्त दर्शन : इस कमेटी के टर्म्स आफ रिफ्रेंस को मैं ने देखा था । क्या मैं यह आशा कर सकता हूं कि इस कमेटी ने संसद् सदस्यों की कठिनाइयों पर भी विचार किया है कि कभी कभी किसी सदस्य को एक फ्लैट भी नहीं मिलता है और कभी कभी एक एक सदस्य के पास दो-दो फ्लैट हो जाते हैं ?

Shri Anil K. Chanda: The Committee really dealt with only the general pool accommodation meant for Government servants. So far as the Parliament Pool is concerned, it is under the control of the Chairman of the House Committee.

श्री अचल सिंह : क्या मंत्री महोदय बतलाने की कृपा करेंगे कि जो गवर्नमेंट सर्वेंट्स दिल्ली में काम करते हैं उन में से कितनी संख्या में ऐसे लोग हैं जो कि परमानेन्ट हैं लेकिन जिन को अभी तक मकान नहीं मिला है ?

Shri Anil K. Chanda: Roughly speaking, we are about 45,000 units short of the requirements.

श्री भक्त दर्शन : क्या मंत्री महोदय बतलाने की कृपा करेंगे कि इस कमेटी की रिपोर्ट पर कब तक विचार हो जायेगा और कब से नये नियम लागू हो जायेंगे ?

Shri Anil K. Chanda: In secretariat language, the matter is under the active consideration of Government.

Discussion about Goa in U.N.O.

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*462. **Shri Hem Barua:**
Shri Subiman Ghose:
Shri Damar:
Shri Kalika Singh:

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that Government propose to take up the Goa issue before the U.N. General Assembly currently meeting in U.S.A.;

(b) whether it is a fact that Government are not interested to take up the issue before the Trusteeship Committee of the U.N.; and

(c) whether Government have made any final protest to Portugal against the denial of civil liberties in their possessions?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) and (b). The issue of Goa has not been placed before the United Nations and it is not the intention of the Government to do so. The general question of information on non-self governing territories which is being considered by the Fourth Committee has come up year after year and our delegates to the United Nations General Assembly have spoken in general terms referring also to the case of Goa. India along with other African and Asian countries brought forward a resolution, on 8th November 1960, before the Fourth Committee on the general question of the colonies of Spain and Portugal, calling on the Governments of these two countries to discharge without further delay the obligation laid down in Article 73(e) of the Charter to transmit information to the Secretary General on the conditions prevailing in the colonial territories under them. The resolution, which was adopted by the Committee on 11th November 1960, *inter alia*, urged the two Governments to ensure to the indigenous populations of their colonial territories "full freedom for democratic political activities which would accelerate the attainment by them of

independence". Further developments are awaited.

(c). We have protested from time to time and shall continue to protest about the suppression of civil liberties in the Portuguese colonial possessions.

Shri Hem Barua: Except for living in the quixotic hope that Portugal would one day quit Goa because of developments in Africa, may I know what positive steps Government propose to take towards the liberation of Goa?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): At the present moment we continue the policy that has been pursued during the last few years, which has been referred to in this House, and which is not a policy of taking military steps. Other steps, such as we can, we take.

Shri Hem Barua: May I know whether it is a fact that Portugal has refused to furnish, as required under the U.N. Charter, information about her colonies including Goa on the plea that they are part of the metropolitan territory? If so, what steps have Government taken to samjhao Portugal, to make Portugal understand?

Shri Jawaharlal Nehru: Perhaps the United Nations may try to do so, as the hon. Member said to samjhao Portugal.

Shri Nath Pai: The Prime Minister just now said that there is no question of providing a military solution to Goa, and the House will understand and appreciate it perhaps. But may we know what steps are being taken at least to inform world public opinion about the state of affairs in Goa and bring pressure of world opinion on Portugal? We know full well, of course, that Portugal is not easily amenable to public opinion; nonetheless, what are we doing to get world public opinion on our side?

Shri Jawaharlal Nehru: I should imagine there has been a very considerable change in world public opinion in the course of the last four or five years. That is, the change has been against Portugal. There is hardly any country, barring perhaps one or two, which has not strongly criticised Portugal, even in regard to its home policies and liberties in its own metropolitan country, so that, so far as that is concerned, that is a development which is, from our point of view, a good development.

Shri Braj Raj Singh: Under the provisions of the U.N. Charter, a non-selfgoverning territory is required to submit reports to the U.N. Portugal has been holding that Goa and other territories which are non-selfgoverning territories really, are parts of Portugal. As the Prime Minister has said, considerable public opinion has been created in the world against Portugal. So, may I know whether the Government of India would take any steps in the U.N. to compel Portugal to give reports about Goa to the U.N.?

Shri Jawaharlal Nehru: Those steps have been taken only recently in the U.N.

Shri Khadilkar: The Government has been showing a good deal of sympathy for the liberation struggle of colonies and suppressed people wherever it is going on. We are also occasionally recognising provisional governments formed in colonies that are trying to liberate themselves. Though Goa is not a colony and we consider it part of our country, if such a provisional government is formed by Goans, will it be recognised by our Government?

Mr. Speaker: It is all hypothetical.

Dr. Ram Subhag Singh: May I know the sources of gathering information at present, because some of the Indian nationals who were political prisoners in Goa have now been transferred to Portugal? Under what conditions are they living?

Shri Jawaharlal Nehru: One person, according to our information has

been sent to Portugal, one person whom we consider an Indian national; but I do not think they accept that fact. The others who may have been transferred are technically Goanese, Portuguese, nationals. I do not know what other information the hon. Member is referring to.

Dr. Ram Subhag Singh: Previously, we used to gather information about their welfare through the Egyptian Embassy. What are the present sources of gathering such information?

Shri Jawaharlal Nehru: Our interests there are looked after by the United Arab Republic's Embassy in Delhi. In addition to that, the International Red Cross also looks after, in so far as prisoners and their conditions and comforts are concerned. Also, compared to previous years, a little more information comes from normal sources, that is, people coming and going from Goa. Previously, there were very few; now, there are more people who come and go.

Shri Nath Pai: As several Members have pointed out, Portugal makes the preposterous claim that Goa is a part of the Portuguese territory. There are some countries which have pledged themselves to guaranteeing the territorial integrity of Portugal. In the light of this statement, have Government, in the process of getting Goa's liberation by peaceful means, sought clarification from these Governments whether their conception of guaranteeing the territorial integrity of Portugal embraces Goa also?

Shri Jawaharlal Nehru: Only recently, the hon. Member might have seen that the question of Portuguese overseas territories has been discussed in the United Nations; and Goa was naturally one of them, though a larger question, larger in the sense of territory etc. is Angola and those Portuguese territories in Africa. There too, the defence was that these were not colonies but parts of Portugal elsewhere. That is rather an extraordinary defence, which no country that I am aware of has accepted. It is rather, almost one might say, farcical. This matter has been frequently brought before other countries, and nobody accepts the Portuguese claim. But we live in a peculiar world in which questions are not considered on their merits but in relation to the cold war; and everything is judged by that standard. So, even though they might be convinced of something, they would not like to upset other calculations drawn from other sources.

Shri Jaipal Singh: We, rightly I think, say that Goa is India. But I find that we do not treat Goans as Indian nationals, nor do we give them the franchise. How is this incongruity to be explained?

Shri Jawaharlal Nehru: Goa is obviously, geographically, culturally India; it is not so politically. It is an obvious fact. The writ of this Parliament at the present moment does not run to Goa. if that is the test.

X-Ray Equipment

*463. **Shri R. C. Majhi:**
Shri Subodh Hansda:

Will the Minister of **Commerce and Industry** be pleased to refer to para 46 at page 96 of the Annual Report of his Ministry for 1959-60 and state:

(a) whether the scheme, that has been sanctioned for the indigenous manufacture of X-Ray equipment, has been implemented; and

(b) when the production will commence?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A statement is laid on the Table of the House.

STATEMENT

The present position in regard to the three schemes is as follows:—

1. M/s. Radon House, Calcutta—This firm has been functioning as a small scale unit producing simple

types of X-ray equipments. It is expected that they will step up their production shortly.

2. M/s. Escorts Ltd., New Delhi—The firm's proposal for import of plant and machinery has been approved. As soon as they receive plant and machinery, they are expected to start production.

3. M/s. Siemens Engineering Co. Ltd., Bombay—This firm is expected to go into production within two to three months.

Shri R. C. Majhi: May I know whether these schemes are being implemented according to the scheduled time, and if not, the reason for the same?

Shri Manubhai Shah: All the schemes approved by Government under the Industries (Development and Regulation) Act or outside the Act wherever these schemes fall outside the schedule to that Act, are stipulated as regards the time of performance, and if the party does not establish these schemes within that time, then the licence or approval is revoked.

Shri S. C. Samanta: Is it not a fact that one Dr. Bhowmick of Calcutta approached the Central Government for help to manufacture indigenous X-ray equipment, the parts of which he was already manufacturing in Calcutta?

Shri Manubhai Shah: That gentleman is covered by the scheme of Messrs. Radon House, Calcutta.

Shri Tangamani: From the statement I find that Siemens will go into production within three months at Bombay. May I know the capacity of their plant?

Shri Manubhai Shah: The capacity is tailored to the requirement; they are not mass production things. But my estimate is that they will manufacture about Rs. 15 lakhs worth of equipment per year.

Sindri Fertilizers and Chemicals Ltd.

*464. { **Shri T. B. Vittal Rao:** / **Shri Pangarkar:**

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the terms of contract for Sindri Fertilizers and Chemicals Ltd. who have been appointed as technical consultants for the proposed fertilizer factory at Kothagudium have since been finalised; and

(b) if so, whether a copy of the contract will be laid on the Table?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) No, Sir.

(b) Does not arise.

Shri T. B. Vittal Rao: Am I to understand that the officers of the Sindri Fertilisers who are doing some preliminary work for this compost fertiliser factory are doing that work without any contract or remuneration?

Shri Satish Chandra: Sindri has been doing considerable work to assist the Andhra Pradesh Governmen', but the Andhra Pradesh Government have not been able to agree to the terms proposed by Sindri for consultancy arrangements. Secondly, as there is the likelihood of another fertiliser factory of a large size coming up at Visakhapatnam, the Andhra Pradesh Government are giving second thought whether they should go in for the Kothagudam project, and they have also suggested that either the Centre should take it over or a private party should take it over.

Shri T. B. Vittal Rao: When was the proposal to drop the Kothagudam fertiliser factory brought before the Centre?

Shri Satish Chandra: The proposal to drop it has not been brought before us, but the State Government themselves are considering whether they should invest their own money in a second fertiliser factory in An-

dhra Pradesh, when one is already coming up; and they have suggested that either the Centre should take it over or a private party may be found out to establish this factory.

Shri T. B. Vittal Rao: What is the reaction of the Central Government to the proposal made by the State Government that the Centre should take it over?

Shri Satish Chandra: The Centre does not propose to take it over. Efforts will be made to find out a private party, if one is available.

Shri T. B. Vittal Rao: In view of the fact that the Central Government have been financing so many fertiliser plants in the country like those at Rourkela and Naharkotiya, and Trombay, on what grounds are they refusing to finance the proposed fertiliser factory?

Shri Satish Chandra: The Centre never first decided to put up this project itself. The State Government forced the issue. They wanted to establish this factory, and we granted them a licence. Now, because another factory which was not contemplated then is coming up already, the second factory in Andhra Pradesh will naturally receive lower priority.

Shri T. B. Vittal Rao: May I know whether the Visakhapatnam fertiliser factory will be owned by the Centre or the State Government?

Shri Satish Chandra: It would meet the demands for fertilisers in Andhra Pradesh.

Shri Palaniyandy: May I know whether it will be in the private sector or the public sector?

Shri Satish Chandra: It is likely to be licensed to a private party. There are five applications which we are considering at the moment.

Mr. Speaker: Next Question. Q. No. 465.

Shri Morarka: I put the question. May I request that Questions Nos. 482 and 491 may also be taken up along with this, if it is convenient to the hon. Minister?

Some Hon. Members: No.

Shri Mahanty: The other questions are completely different from the question to be taken up now.

Shri Satish Chandra: I do not mind.

Consumption of Exportable Items

*465. **Shri Morarka:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Government's attention has been drawn to the World Bank Report in which they have suggested selective tax measures to restrain domestic consumption of exportable items; and

(b) if so, whether Government propose to take any such steps and when?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) The hon'ble Member is presumably referring to the report submitted to the World Bank by its three representatives who visited India in early part of this year. If so, the answer is in the affirmative.

(b) It is not possible to indicate in advance the nature of taxation proposals which may be considered in future.

Subsidy for Export

*482. **Shri Morarka:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) what steps Government propose to take for the creation of export-mindedness as recommended by the World Bank Report;

(b) whether Government is considering introducing the system of special subsidies for encouraging exports; and

(c) whether the subsidy would be given for particular markets or generally?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) Efforts are being made to create a suitable climate by active encouragement to export industries, by measures directed to increase production, promotion of productivity consciousness, improved organization of the export trade, publicity through various media, study of foreign markets and by adoption of suitable fiscal and monetary policies from time to time.

(b) No, Sir.

(c) Does not arise.

Export Promotion

*491. **Shri Morarka:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Government has considered the recommendation of the World Bank that strenuous efforts should be made to diversify the export base and enter foreign markets; and

(b) if so, with what results?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) and (b). General observations in the report submitted to World Bank by its visiting representatives in early part of this year have been and will continue to be kept in mind in formulating export policies. Efforts are being made to diversify production and to evolve suitable fiscal and monetary policies with a view to creating a proper climate for exports. Success so far achieved can be judged by the fact that exports during 1959 exceeded by 58 crores as compared to 1958 and exports during the first 9 months of 1960 are higher by 21 crores as compared to the corresponding period of 1959.

Shri Morarka: May I know whether the hon. Minister has tried to discuss this subject with the representatives of the World Bank about the specific items and specific proposals they have in view for increasing the exports of the country?

Shri Satish Chandra: The report is not on exports. It is about the general economic situation in the country, and there are some paragraphs relating to exports here and there. There were, of course, discussions. The Minister of Commerce and Industry received the delegation. I was also present. They made some suggestions which are also contained in the report which is available in the Parliament Library.

Shri Morarka: May I know whether any list of commodities, the consumption of which would be restricted, has been prepared by Government in order to give a fillip to the export of those commodities?

Shri Satish Chandra: If he looks into it, the hon. Member will find that there are at least 40 categories of items on which excise duties are levied. Excise duties have to be increased if domestic consumption is to be curbed. If he looks into that list, he will find that these measures help to curb domestic consumption.

Shri Morarka: May I know whether after receiving the main report any concrete step has been taken or is proposed to be taken in this direction as recommended by the representatives of the World Bank?

Shri Satish Chandra: Changes in taxes are generally made at the Budget time. The Finance Minister and Government will certainly consider these matters at the right opportunity. It is not for us to increase or decrease taxes. But these things are constantly kept in mind.

Shri Rameshwar Tantia: Is it a fact that our tea and jute exports are decreasing while the tea export from Ceylon and jute export from Pakistan are going up? If so, what are Government doing about it?

Shri Satish Chandra: All possible steps are being taken. Tea and jute exports have gone down to some extent this year not due to lesser demand in the international markets, but due to weather conditions—drought in the early part of the year which affected the production of raw jute and tea.

Shri Mahanty: May I know whether the Export Promotion Council has formulated any schemes for intensifying our exports. If so, are those schemes being implemented?

Shri Satish Chandra: The Export Promotion Councils, about a dozen of them for various commodities, have formulated several schemes--incentive schemes and others. If the hon. Member gives notice of a separate question in relation to a particular item he has in mind, I can give more details. But it is difficult to cover all these various subjects in answer to a question.

Shri Morarka: My last question was not properly, understood. I wanted to know whether after the receipt of the report Government had taken or proposed to take any concrete steps for giving a fillip to exports from this country.

Shri Satish Chandra: Numerous steps have been taken. Questions are answered from day to day in the House relating to the export of different items and the steps taken thereof, like new incentive schemes evolved, release of quotas which are decided from day to day in the light of the increase of agricultural production of various items, attempts to increase the industrial production and so on. Unless a specific question is asked, it is difficult to answer specifically.

Mr. Speaker: These are all general questions. Next question.

Control and Inspection of Atomic Establishments

*466. **Shri P. K. Deo:**
Shri Sadhan Gupta:
Shri Goray:
Shri Hem Barua:

Will the **Prime Minister** be pleased to state:

(a) whether in a meeting of the International Atomic Energy Agency at Vienna lately, India suggested a compromise formula on the question of international control and inspection of atomic establishments in various countries;

(b) if so, the details of the formula;

(c) the result of such proposal of India; and

(d) which of the countries opposed this proposal?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (b). A copy of a joint resolution sponsored by Afghanistan, Burma, Ceylon, India and Indonesia at the Fouth General Conference of the International Atomic Energy Agency containing the proposals of these countries on the subject of Agency Safeguards is placed on the Table of the House. [*See* Appendix II, annexure No. 11].

(c) and (d). The resolution was not voted on as another fifteen-power resolution, favouring the adoption of the Safeguards proposed by the Agency, was passed.

Shri P. K. Deo: From the statement, we find that the joint resolution for peaceful utilisation of atomic energy and international control and inspection of atomic establishments was moved by India and several other countries. May I know if any attempt has been made to mobilise world public opinion in support of the purpose of this resolution?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Always whenever we put forward a resolution, we try to get it passed, unless something else happens. In specific technical matters, one does not carry on a world campaign. But as a matter of fact, Dr. Bhabha has been speaking on this subject at international conferences and elsewhere at some length.

Shri P. K. Deo: From the reply, we do not know which countries voted against this resolution or were opposed to this resolution. May I know the names of those countries?

Shri Jawaharlal Nehru: It was not voted upon at all, because another resolution was previously passed.

Shri Sadhan Gupta: May I know whether in the conference a resolution was brought forward advocating a ban on nuclear weapons, and also for disarmament, and India opposed that resolution?

Shri Jawaharlal Nehru: I did not hear the question fully. This has nothing to do with disarmament. This resolution relates to safeguards.

Shri Sadhan Gupta: It came before it.

Shri Hem Barua: Except proposing universalisation of control, may I know whether India made any positive suggestions at the Vienna Conference to the effect that fissionable materials that might be made available to countries by the International Atomic Energy Agency might not be used for military purposes? If so, what are the specific suggestions made?

Shri Sadath Ali Khan: The hon. Member must have seen the resolution. It lays down three criteria for the application of safeguards: (1) in the normal case of Agency assistance, each recipient country to guarantee that the assistance would not be used for military purposes; (2) for special fissionable materials, if they are of weapons strength, accounting procedure and inspection, and (3) the Board to examine each country's material according to the rules. This was the resolution, the basis of it.

Shri Hem Barua: May I know whether it is a fact that the western delegations at the Vienna Conference opposed our compromise formula? If so, what were the reasons adduced by them for the same?

Shri Sadath Ali Khan: The United States and others took the position that the safeguards had been written into the statute; they were necessary. The system as evolved by the Board of Governors was a compromise system. The system would enable bilateral agreements to be administered by the Agency. Finally, there was nothing in the system which infringed national sovereignty.

WRITTEN ANSWERS TO QUESTIONS

Micanite

*454. **Shri Rajendra Singh:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that industry processing macanite and bricks is languishing for want of orders;

(b) whether Government have examined the position; and

(c) if so, what are the findings?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). Yes, Sir.

(c) As a measure of protection to the Industry, it has been decided not to allow imports of insulating bricks of the type that can be replaced by indigenous mica insulating bricks and the consumers are being advised to explore the possibility of use of indigenous bricks. The Glass and Ceramic Research Institute is also looking into the question of improving the quality of indigenous product.

Public Undertakings

*457. **Shrimati Ila Palchoudhuri:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that a conference of representatives of various

public sector projects under the control of his Ministry was held recently in Delhi;

(b) if so, the details of the subjects discussed and decisions taken; and

(c) when they are likely to be enforced?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table of House.

STATEMENT

(a) to (c). **The Projects Co-ordination Committee was a departmental** Committee to serve as a body for coordinating the working of the Projects under the administrative control of the Ministry. Recently it has been enlarged to work also as an inter-ministerial committee for public sector projects.

Summary of important recommendations.

Subject

1. *Procuring of raw materials and components required by the undertakings for the maintenance and expansion of the units.*

A sub-committee of senior officers has been set up to examine the question and recommend streamlining of the procedures.

2. *Requirement of capital goods.*

Indigenous procurement should be maximised. Managements should also prepare lists of their requirements of capital goods for the first half of the Third Plan and furnish them to the Ministry concerned.

3. *Development of ancillary industries.*

Development of ancillary industries is highest importance. Each undertaking should exhibit in their premises components and ancillary products which could be manufactured by other producers. Each undertaking should send their suggestions to the Development Commissioner of Small Scale Industries.

4. *Utilisation of all grades of inferior coal.*

A switch over to all kinds of inferior grades of coal should be programmed by the adaptation of boilers.

5. *Training of technical personnel.*

A sub-committee of senior officers was constituted to examine the question.

6. *Pre-costing system.*

In view of the urgent need for an efficient cost accounting set up, it was decided to earmark a senior cost accounts officer exclusively for the purpose of assisting Government undertakings for organising a cell. The officer will visit the undertakings for the purpose.

Financial Assistance to States

*467. **Shri Harish Chandra Mathur:**
Shri Chintamoni Panigrahi:
Shri Rajendra Singh:
Dr. Ram Subhag Singh:

Will the Minister of **Planning** be pleased to refer to the reply given to Starred Question No. 1028 on the 2nd September, 1960 and state:

(a) whether suggestions regarding the patterns and procedures concerning Central assistance to States towards the expenditure incurred in the Five Year Plans from State Governments have been received;

(b) what is the nature of these suggestions; and

(c) Government's reaction and decisions in the matter?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) Yes, Sir.

(b) and (c). The Planning Commission is shortly going to formulate its proposals regarding Central assistance patterns in consultation with the Ministries concerned.

State Enterprises

*468. **Shri Ajit Singh Sarhadi:**
Kumari M. Vedakumari:
Shri Ram Krishan Gupta:
Shri Damani:
Shri M. K. Kumaran:
Shri Achar:
Shri Supakar:
Shri S. A. Mehdi:
Shri P. G. Deb:

Will the Minister of **Planning** be pleased to refer to the reply given to Starred Question No. 17 on the 1st August, 1960 and state:

(a) whether any report has been received from the Study Group set up to examine the question of public participation in the capital of state enterprises; and

(b) if so, what are its main recommendations and Government's reaction thereto?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) Yes, Sir.

(b) The recommendations of the Study Group are still under consideration and no final views have so far been formulated by Government.

Trade with Afghan Countries

*469. **Dr. Ram Subhag Singh:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) the steps taken by Government to promote trade with the independent African countries; and

(b) whether there is any proposal to study the scope of trade prospects with those countries?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) The steps taken or proposed to be taken for promotion of trade with independent African countries consist of opening commercial offices organising visual publicity, negotiating trade agreements on basis of equality and mutual advantage, exchanges of delegations etc.

(b) The possibility of strengthening trade relations with these countries is engaging the attention of the Government.

Coir Industry

*470. **Shri Kodiyan:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) what steps have been taken by Government to diversify production in the coir industry and to improve the quality of coir products; and

(b) the expenditure incurred if any, in this connection by the Centre?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A statement is laid on the Table of the House.

STATEMENT

(a) Steps have been taken by Government in this direction by setting up pilot plants for production of mattress and brist'e fibre, giving financial assistance to State Governments for production of various designs and types of door mats, ribbed carpet mats and brush mats. Training is also being imparted to artisans in the production of improved quality of yarns through spinning machines in the Training-*cum*-production Centres set up by the State Governments. The Coir Board is also taking steps through research institutes towards improvement of quality of Coir goods and also fixing grade standards of Coir goods. The question of modernising and mechanising the manufacturing sector of Coir Industry is under consideration of the Government.

(b) Government of India have sanctioned a grant of Rs. 8,63,157 and loan of Rs. 36,04, 394 to various State Governments during the first four years of the Second plan for various types of Coir schemes *viz.* organisation of Coir Co-operative Societies, establishment of fibre mills and training-*cum-production* Centres.

Exploration of Minerals

*471. **Shri H. N. Mukerjee:** Will the Prime Minister be pleasel to state:

(a) whether his attention has been drawn to a reference in Dr. C. Mahadevan's Presidential Address (September 15) at the annual meeting in Calcutta of the Geological, Mining and Metallugical Society of India, that "there were occasions when for the same area two officers, one from the Atomic Energy Department and the other from the Geological Survey, were sent out for field work in the same season"; and

(b) what is being done to prevent such overlapping in the work of mineral exploration and exploitation?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (b). Government have seen a copy of the Presidential Address delivered by Dr. C. Mahadevan at the 36th Annual General Meeting of the Geological, Mining and Metallurgical Society of India held at Calcutta on the 15th September, 1960. As regards the statement made therein, the position is that there may have been occasions when an officer of the Geological Survey of India and an officer of the Department of Atomic Energy may have been deputed for work in the same area, but there has been no duplication in the past, as the sphere of operations of the Geological Survey of India and of the Atomic Minerals Division of the Department of Atomic Energy are quite different. The work of the Geological Survey of India is confined to regional geological mapping or investigations for economic minerals, other than atomic minerals, whereas the work of investigation and exploitation of atomic minerals is entirely the responsibility of the Department of Atomic Energy.

In order, however, to avoid duplication and waste of national efforts, if any, close collaboration in the work is being maintained by this Department with the sister organisations and *vice-versa* through the Programming Board which discusses and approves the field programmes and other major programmes of work of the Geological Survey of India, Indian Bureau of Mines, Oil and Natural Gas Commission and the Atomic Minerals Division.

अणु शक्ति केन्द्र

४७२. **श्री प्रकाश वीर शास्त्री :**
श्री पालिका सिंह :

क्या **प्रधान मंत्री** यह बताने की कृपा करेंगे कि :

(क) क्या ब्रिटिश पत्र 'इकोनोमिस्ट' ने यह आशंका प्रकट की है कि भारत शायद अणु बम तैयार कर ले ;

(ख) क्या यह सच है कि उक्त पत्र ने तारापुर के प्रस्तावित अणु शक्ति केन्द्र के बारे में जो विचार व्यक्त किये हैं उन से पश्चिमी शक्तियां बड़े असमंजस में पड़ गई हैं ; और

(ग) प्रस्तावित अणु शक्ति केन्द्र की स्थापना के लिये मांगे गये टेंडरों पर कब तक अन्तिम निर्णय होने की सम्भावना है ?

वैदेशिक-कार्य मंत्री (श्री साबत अली खां) : (क) और (ख). १५ अक्टूबर, १९६० के ब्रिटिश पत्र 'इकोनोमिस्ट' के एक लेख में यह इशारा किया गया है कि शायद भारत सैनिक उद्देश्यों के लिये प्लुटोनियम का उपयोग करे। लेख में यह विचार भी व्यक्त किया गया है कि तारापुर के अणु शक्ति केन्द्र के संबंध में टेंडरों की मांग करने से कुछ देश असमंजस में पड़ गये हैं।

ये विचार सही तथ्य उपस्थित नहीं करते। भारत हमेशा ही यह वचन देने को तैयार है कि हम किसी भी बुरे उद्देश्य के लिये परमाणु शक्ति का उपयोग नहीं करेंगे। २० जनवरी, १९५७ को ट्राम्बे स्थित परमाणु शक्ति संस्थान के औपचारिक उद्घाटन के

अवसर पर प्रधान मंत्री ने इस प्रकार ब्यान दिया था :—

"कोई मनुष्य भविष्यवाणी नहीं कर सकता। लेकिन मैं अपनी सरकार की ओर से और अपनी ओर से भी यह कहना चाहूंगा और मेरा ख्याल है कि मैं भारत की किसी भी भावी सरकार की ओर से कुछ न कुछ यकीन के साथ कह सकता हूं कि चाहे कुछ भी हो और कैसे भी हालात हों, हम परमाणु शक्ति का उपयोग बुरे उद्देश्यों के लिये नहीं करेंगे।"

१० फरवरी, १९५८ को राष्ट्रपति ने संसद के समक्ष अपने अभिभाषण में यह कहा था :

"अपने बारे में मेरी सरकार इस बात को असंदिग्ध रूप से स्पष्ट कर देना चाहती है कि यद्यपि हमें आज वैज्ञानिक ज्ञान और साधन उपलब्ध हैं जिनके द्वारा यदि हम अपनी नासमझी में चाहें तो आणविक शस्त्र तैयार कर सकते हैं, तो भी हमारी कदापि यह इच्छा नहीं कि हम ऐसे शस्त्रों को प्राप्त करें अथवा तैयार करें अथवा उनका कभी प्रयोग करें या किसी अन्य देश द्वारा उनके प्रयोग को क्षमणीय समझें। इस क्षेत्र में हमारे प्रयत्न शान्तिपूर्ण उपयोग के लिए अणुशक्ति के उत्पादन तक ही सीमित रहेंगे।"

(ग) तारापुर के अनु शक्ति केन्द्र के संबंध में टेंडरों के प्राप्त होने की अन्तिम तिथि ३१ मई, १९६१ है। इसके बाद ही यह फैसला किया जायेगा कि कौनसा टेंडर स्वीकार किया जाये।

New A.I.R. Stations

*473. **Shri Agadi:**
Shri Sugandhi:
Shri Viswanatha Reddy:
Shri Rami Reddy:
Shri Achar:

Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether it is a fact that new A.I.R. Transmitting Stations are being constructed; and

(b) if so, the names of the places where the transmitting stations are being located and the estimated expenditure, non-recurring and recurring?

The Minister of Information and Broadcasting (Dr. Keskar): (a) Yes, Sir.

(b) The suitability of places for the location of these transmitters in the various States is being examined from the point of view of technical and other considerations. The locations will be settled shortly. The total non-recurring and recurring expenditure are estimated to be about Rs. 394 lakhs and Rs. 59·42 lakhs per annum respectively.

Handloom Weavers in Andhra Pradesh

*474. **Shri Tangamani:**
Shri S. A. Mehdi:
Shri P. G. Deb:
Shri Wodeyar:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that a Delegation of Andhra handloom weavers met the Minister on the 20th September, 1960;

(b) if so, what are their demands; and

(c) what steps are being taken to meet their demands?

The Minister of Commerce (Shri Kanungo): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

(a) Yes, Sir.

(b) The deputation of the Handloom Weavers' Co-operative Societies of Andhra Pradesh have raised several issues in their memorandum. The main issues are indicated below:—

(i) The production target of 5800 million yards (per annum) to the organised mill sector is

on the high side and it should be scaled down to 4500 million yards inclusive of exports of 500 million yards per annum.

(ii) Export target of 800 million yards is also on the high side and should be scaled down to 500 million yards per annum.

(iii) Target for powerloom cloth should be the same as was fixed in the Second Plan period, *viz.*, 400 million yards per annum.

(iv) The target of 2800 million yards allocated to handloom sector is low and the handloom sector should be allowed to produce 3100 yards per annum during the Third Plan period.

(v) The allocation of Rs. 32 crores for the handloom industry is to low and it should be raised to Rs. 84·19 crores as recommended by the Working Group (Study Team).

(c) The views put forth by the Delegation have been noted by the Government.

Visa Restrictions on Indians in Thailand

*475. **Shri S. A. Mehdi:** Will the **Prime Minister** be pleased to state:

(a) whether visa restrictions have been removed by Thai Government on Indian Nationals; and

(b) if so, the reaction of Government thereto?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) As far as Government are aware the Thai Government have recently liberalised their visa rules and the grant of visas to Indian nationals, as well as to other foreigners, desiring to visit Thailand has been made easier.

(b) Government welcome this development.

Wire-Broadcasting Project

*476. **Shri Aurobindo Ghosal:** Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether the wire-broadcasting pilot scheme of All India Radio experimented upon in some colonies of Delhi has proved successful; and

(b) if so, how many houses have been provided with radio-wire and what is the amount spent?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). Under the Pilot Scheme, 93 quarters in the Kasturba Nagar Colony in New Delhi were given wire broadcasting connections. The amount spent on installation was Rs. 8,854 and the recurring expenditure is of the order of about Rs. 550/- per month. As the Scheme has proved to be technically sound, it is being extended to the Lodi Colony and its adjoining areas when it is expected that over 2,000 subscribers will avail themselves of this Scheme. It would be too early to make a full assessment of the scheme before the extended scheme is fully implemented.

Survey of Indian Ocean

*477. **Shri D. C. Sharma:** Will the **Prime Minister** be pleased to refer to the reply given to Starred Question No. 523 on the 18th August, 1960 and state the further progress made in the survey of Indian Ocean by the Soviet Ship 'Vitiaz'?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): Reports from the three scientists who were deputed by the Government of India to participate in research work on board the ship 'Vitiaz' have since been received. Although there is no immediate use that this information can be put to, the data collected is valuable in so far as it adds to our knowledge of the Indian Ocean. This knowledge covers plant and animal life as well as the location of rich areas for fishing in the seas contiguous to our coastline.

Small Scale Industries

*478. { **Shri Ram Krishan Gupta:**
Shri Chintamoni Panigrahi:

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 623 on the 22nd August, 1960 and state:

(a) whether the small industrialists have taken advantage of the Reserve Bank credit guarantee scheme for promotion of small scale industries; and

(b) if so, the States from which the small scale industries have taken advantage of this scheme so far?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) By the 12th November, 1960 the Reserve Bank of India has received applications for guarantee from the following States.

1. Maharashtra
2. Punjab
3. Rajasthan
4. Uttar Pradesh
5. West Bengal
6. Gujrat
7. Delhi

Indians leaving African Countries

*479. { **Shri Shree Narayan Das:**
Shri Radha Raman:
Shri D. C. Sharma:

Will the **Prime Minister** be pleased to state:

(a) what is the present position with regard to persons of Indian origin leaving some of the African countries for India; and

(b) whether there has been any improvement in the situation?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (b). As far as the Government of India are aware, there is no evidence to suggest that these persons wish to leave their countries of adoption. Apart from the unsettled conditions in the Congo the law and order situation in the other African territories continues to be normal.

उत्तर प्रदेश में उर्वरक का कारखाना

४८०. { **श्री भक्त दर्शन :**
श्री कालिका सिंह :

क्या **वाणिज्य तथा उद्योग** मंत्री २ सितम्बर, १९६० के अतारांकित प्रश्न संख्या १९९६ के उत्तर के संबंध में यह बताने की कृपा करेंगे कि उत्तर प्रदेश में एक उर्वरक का कारखाना स्थापित करने के प्रश्न के बारे में इस बीच क्या प्रगति हुई है ?

वाणिज्य तथा उद्योग उपमंत्री (श्री सतीश चन्द्र) : उत्तर प्रदेश में खाद के बारे में उर्वरक टेक्निकल समिति की रिपोर्ट मिल गई है, जिसकी जांच की जा रही है ।

Industrial Process Instruments

*481. { **Shri R. C. Majhi:**
Shri Subodh Hansda:

Will the Minister of **Commerce and Industry** be pleased to refer to para 46 at page 95 of the Annual Report of his Ministry for 1959-60 and state:

(a) by which time the country will be able to manufacture the industrial process instruments such as pyrometres, temperature recorders, controllers, thermo-couples and multi-point recorders; and

(b) the total value of these materials imported in the year 1959-60?

The Minister of Industry (Shri Manubhai Shah): (a) The production of these instruments starting with the simple types is expected to commence in 1961.

(b) Import figures for these instruments separately are not available. The total value of imports of all sorts of measuring, controlling and scientific and electrical instruments other than photographic, cinematographic

and medical instruments and apparatus for the year 1959-60 was Rs. 3·67 crores.

Foreign Goods in Indian Markets

*483. **Shri Harish Chandra Mathur:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Government is aware that Bombay, Calcutta and Delhi markets are full of foreign-made consumer goods of various kinds of luxury and non-essential nature; and

(b) the Government's assessment in the matter?

The Minister of Commerce (Shri Kanungo): (a) and (b). Small quantities of foreign-made consumer goods are reported to be available principally in some sections of the Bombay, Calcutta and New Delhi markets. For some of these items, small import quotas exist. Some items are also brought in under the Sports Goods Export Promotion and Tourist Promotion Licensing Schemes. The possibility of few items leaking into the market as a result of illegitimate activities also exists, in spite of constant vigilance by authorities concerned.

Indian Businessmen Supplying Articles to Chinese

*484. **Shrimati Ila Palchoudhuri:** Will the **Prime Minister** be pleased to state:

(a) whether Government's attention has been drawn to a news appearing in "The Current" dated the 5th October, 1960, in regard to some Marwari businessmen supplying food and articles of daily use to the Chinese army of occupation in Tibet;

(b) if so, the full facts of the matter; and

(c) action taken or proposed to be taken in regard thereto?

The Deputy Minister of External Affairs (Shrimati Lakshmi N. Menon): (a) to (c). Government have seen the report but they have no reason to suspect any large scale smuggling.

Hospital at Madras

*485. **Shri T. B. Vittal Rao:** Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Unstarred Question No. 590, on the 1st March, 1960 and state:

(a) the progress made up-to-date in the construction of a 100-bed hospital at Madras by the Employees' State Insurance Corporation;

(b) the total amount spent so far; and

(c) when is it likely to be completed?

The Deputy Minister of Labour and Planning (Shri L. N. Mishra): (a) The main hospital building has reached the lintel level for the major portion of the building.

(b) **Rs. 4·75 lakhs.**

(c) By August 1961.

Assam Rifles

*486. **Shri H. N. Mukerjee:**
Shrimati Renu Chakravartty:
Shri Indrajit Gupta:

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that the Headquarter of the Assam Rifles is being shifted to Silchar and the site for a cantonment has been selected;

(b) whether his attention has been drawn to public representations that in the conditions now prevailing in Silchar the proposed cantonment should be set up at a distance from the municipal limits of the town; and

(c) if so, Government's reaction thereto?

The Parliamentary Secretary to the Minister of External Affairs (Shri J. N. Hazarika): (a) The Headquarters of the Assam Rifles is not being shifted to Silchar. A Range Headquarters with jurisdiction over a part of that Force has, however, been

established there. No site for a cantonment has been selected in Silchar.

(b) Representations to this effect were received from the West Silchar Development and Welfare Committee and the Relief and Welfare Committee, Silchar.

(c) There is no proposal to set up a cantonment within the municipal limits. The question of the Government's reaction does not, therefore, arise.

Sub-soil Water Level in Delhi

*487. **Dr. Ram Subhag Singh:**
Shri Radha Raman:

Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether sub-soil water level is rising in old Delhi;

(a) if so, in which areas; and

(c) the steps being taken by Government to check the rise of sub-soil water in those areas?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) No survey has been carried out by Government in respect of the level of sub-soil water in the Old Delhi area.

(b) and (c). Do not arise.

Workers in Public Sector

*488. **Shri S. A. Mehdi:**
Shri P. G. Deb:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether any scheme has been formulated for giving incentive for workers in public sector; and

(b) if so, in which companies the scheme has been enforced?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A statement is laid on the Table of the House. [*See* Appendix II, annexure No. 12].

Extradition Treaty with Pakistan

*489. **Shri D. C. Sharma:**
Shri Ram Krishan Gupta:
Shri Ajit Singh Sarhadi:
Shri Agadi:
Shri Wodeyar:

Will the **Prime Minister** be pleased to refer to the reply given to Starred Question No. 488 on the 18th August, 1960 and state whether the reaction of the Government of Pakistan to the draft Extradition Treaty which had been sent to them has been received?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): No, Sir.

घड़ियों का निर्माण

*४९०. **श्री भक्त दर्शन :**
श्री स० मो० बनर्जी :
श्री अजीत सिंह सरहदी :
श्री मधुसूदन राव :
श्री झूलन सिंह :

क्या **वाणिज्य** तथा **उद्योग** मंत्री २ सितम्बर, १९६० के अतारांकित प्रश्न संख्या २०३८ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि फ्रांस, जापान, इटली और पश्चिमी जर्मनी के सहयोग से घड़ियों के उत्पादन के लिये स्वीकृत योजनाओं में इस बीच क्या प्रगति हुई है ?

उद्योग मंत्री (श्री मनुभाई शाह) : एक विवरण सभा की मेज पर रखा जाता है ।

विवरण

जापानी फर्म के सहयोग से सरकारी क्षेत्र में जो कारखाना स्थापित किया जाने वाला है उसके अगले वर्ष के अंत तक उत्पादन शुरू कर देने की आशा है । जो भारतीय प्रतिनिधि मंडल जापान गया था, उसकी रिपोर्ट की अब भी जांच की जा रही है । इस समय भूमि प्राप्त करने के बारे में बात-चीत चल रही है । कुछ जापानी टेक्नीशियनों के

शीघ्र ही आकर प्रायोजना कार्य संभाल लेने की आशा है ।

२. भारतीय फर्म ने, जो कि फ्रांसीसी फर्म के साथ सहयोग करना चाहती है, एक सहयोग करार का प्रारूप प्रस्तुत कर दिया है । उसकी जांच कर ली गई है और उसे मंजूर किया जा रहा है ।

३. दो अन्य फर्में जो इटली तथा जर्मन फर्मों के साथ सहयोग करार के प्रारूप की अभी प्रतीक्षा है ।

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Alarm Clocks

*492. **Shri Ram Krishan Gupta:**
Shrimati Ila Palchoudhuri:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether any scheme to establish factory at Hyderabad to manufacture alarm clocks has been finalised; and

(b) if so, the details thereof?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) The proposal of Shri C. C. Desai, New Delhi for the manufacture of 1,20,000 Nos. Time-pieces per annum at Hyderabad in collaboration with a Swiss firm and a French firm was approved in August, 1960. The collaboration proposal involves capital participation and royalty payment.

Tibetan Refugees

779. **Shri Chintamoni Panigrahi:** Will the **Prime Minister** be pleased to refer to the reply given to Starred Question No. 490 on the 18th August, 1960 and state:

(a) whether the proposal to allot agricultural land to the Tibetan refugees has been finalised by now;

(b) the acres of land which are proposed to be allotted to each Tibetan refugee; and

(c) the number of Tibetan refugees who have expressed their willingness to settle permanently in India?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) to (c). It is proposed to settle 500 Tibetan refugees on land in Bhalukpung in NEFA, and 3000 in Periyapatna Taluk in Mysore State. The refugees have already arrived at Bhalukpung. Three to 5 acres of land will be allotted to each family in Bhalukpung. In Mysore 5 acres of land will be provided to each family of five. The refugees will arrive at Mysore early in December. There is also a proposal to settle about 1200 Tibetan refugees on land in Ladakh. Details of this scheme are being worked out.

Survey of Contract Labour

780. **Shri D. C. Sharma:**
Shri Ram Krishan Gupta:

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether Government have completed the examination of the reports of the surveys conducted by the Director, Labour Bureau, Simla, in regard to the condition of contract labour in five selected industries; and

(b) if so, the result thereof?

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): (a) and (b). The four reports which have been received are still under examination in consultation with the Ministries concerned.

Indians kidnapped by Pakistanis

781. **Shri D. C. Sharma:** Will the **Prime Minister** be pleased to state:

(a) the number of Indian Nationals kidnapped by Pakistanis from the Indo-West Pakistan border since April, 1960;

(b) the number of Indians out of them released so far; and

(c) the action taken for getting the release of rest of them?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Six.

(b) Two.

(c) The delay in the release of two kidnapped men is because the Pakistanis claim that they are Pakistani nationals. The local authorities have now decided to visit their houses to discover whether they fall in India or Pakistan. The other two are women. The Pakistani authorities say that one of them has since married a Pakistani national. No information is as yet available about the other.

Production of Automobiles

782. Shri Morarka: Will the Minister of **Commerce and Industry** be pleased to lay a statement on the Table showing:

(a) the production of automobiles in 1950-51;

(b) the plan target for the First Five Year Plan, the achievement during the same period together with the financial allocations and the amount actually spent during the First Plan period;

(c) the target for the Second Five Year Plan period, the achievement made so far, together with the financial allocation under the Second Five Year Plan and the amount actually spent so far; and

(d) the reason, if any, for the shortfall in achieving the physical targets?

The Minister of Industry (Shri Manubhai Shah): (a) The production of automobiles during the years 1950 and 1951 was 14,062 Nos. and 22,269 Nos. respectively.

(b) and (c). The targets of production laid down for the First and Second Five Year Plans and the actual production compare as follows:—

	Production targets		*Actual Production*		
Year	1955-56	1960-61	1955	1956	1960 (Jan.-September)
	Nos.	Nos.	Nos.	Nos.	Nos.
	30,000	65,000	23,084	32,138	38,044 (for 9 months)

At the end of December 1955, the investment of the six automobile manufacturers in the country in lands, buildings, plant and machinery amounted to Rs. 7·4 crores. The investment likely to be made by the end of the Second plan is of the order of Rs. 43·00 crores.

(d) The physical targets have somewhat lagged behind in the Second Plan period mainly due to the foreign exchange difficulties.

Motor Cycles and Scooters

783. Shri Morarka: Will the Minister of **Commerce and Industry** be pleased to lay a statement on the Table showing:

(a) the production of motor cycles and scooters in 1950-51;

(b) the plan target for the First Five Year Plan, the achievement during the same period together with the financial allocation and the amount actually spent during the First Five Year Plan period;

(c) the target for the Second Five Year Plan period, the achievement made so far, together with the financial allocation under the Second Five Year Plan and the amount actually spent so far; and

(d) the reason, for the short-fall, if any, in achieving the physical targets?

The Minister of Industry (Shri Manubhai Shah): (a) Nil.

(b) No targets were fixed for the First Five Year Plan. However, the

production of motor cycles and scooters commenced in the year 1955 and the achievement during that year and in 1956 was as shown below:

Year	*Production of Motor Cycles*	*Scooters*
1955	419	536
1956	1022	4735

(c) The target for the Second Five Year Plan period was 11,000 Nos. per annum. The achievement this year upto September, 1960 was 12,233 Nos. and it is estimated that by the end of the Second Five Year Plan, it will rise to 24,000 Nos. per annum. No separate financial allocation was made to the two industries. However, the fixed investment in these industries roughly amounts to Rs. 234 lakhs.

(d) Does not arise.

Ball and Roller Bearings

784. Shri Morarka: Will the Minister **of Commerce and Industry** be pleased to lay a statement on the Table showing:

(a) the production of ball and roller bearings in 1950-51;

(b) the plan target for the First Five Year Plan, the achievement during the same period together with the financial allocation and the amount actually spent during the First Five Year Plan period:

(c) the target for the Second Five Year Plan period, the achievement made so far, together with the financial allocation under the Second Five Year Plan and the amount actually spent so far; and

(d) the reason for the shortfall, if any, in achieving the physical targets?

The Minister of Industry (Shri Manubhai Shah): (a) The production in 1951 was 2,34,383 Nos.

(b) A production target of 1·2 to 1·3 million Nos. was fixed in the First Five Year Plan. The actual production in 1956 was 1·04 million Nos. No financial allocation was made for this industry.

(c) and (d). The target fixed in the Second Five Year Plan was 2·4 million Nos. This target is expected to be more than fulfilled in 1960. The investment target was Rs. 50 lakhs and the actual investment during the first two years of the Second Plan period was Rs. 26·5 lakhs.

Power driven Pumps

785. Shri Morarka: Will the Minister **of Commerce and Industry** be pleased to lay a statement on the Table showing:

(a) the production of power driven pumps in 1950-51;

(b) the plan target for the First Five Year Plan, the achievement during the same period together with the financial allocation and the amount actually spent during the First Five Year Plan period:

(c) the target for the Second Five Year Plan period, the achievement made so far, together with the financial allocation under the Second Five Year Plan and the amount actually spent so far; and

(d) the reason for the shortfall, if any, in achieving the physical targets?

The Minister of Industry (Shri Manubhai Shah): (a) The production figures are maintained Calendar Year-wise and in numbers. Production figures for the calendar years 1950 and 1951 are 33,292 Nos. and 47,989 Nos. respectively.

(b) and (c). No specific target was fixed for power driven pumps for the First Five Year Plan. However, production at the end of the 1st Plan was estimated around 40,000 Nos. As against this estimate, the actual production in 1956 was 46,881 Nos.

The target fixed for power driven pumps for the 2nd Five Year Plan is 86,000 Nos. The actual production during 1959 was 85,067 Nos. and the actual production during this year (Jan.-Sep. 1960) has been 72,900 Nos.

No specific financial allocation was earmarked for this industry during the 1st Plan as well as in the 2nd Plan.

(d) Does not arise.

गोमांस और गाय की खालों का निर्यात

७८६. **श्री प्रकाश वीर शास्त्री** : क्या **वाणिज्य तथा उद्योग** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या गत पांच वर्षों में दूसरे देशों को होने वाले गोमांस और गाय की खालों के निर्यात में कोई कमी हुई है और यदि हां, तो उसके वर्षवार आंकड़े क्या हैं ;

(ख) गत पांच वर्षों में प्रति वर्ष दूसरे देशों को कितने मूल्य के गोमांस और गाय की खालों का निर्यात किया गया है ;

(ग) यह निर्यात किन-किन पत्तनों से किया गया ; और

(घ) क्या यह निर्यात स्वयं सरकार द्वारा किया जाता है या कि गैर-सरकारी फर्मों द्वारा और यदि फर्मों द्वारा किया जाता है, तो उनके नाम क्या हैं ?

वाणिज्य तथा उद्योग उपमंत्री (श्री सतीश चन्द्र): (क) तथा (ख). पशुओं के मांस तथा गाय की खालों के निर्यात के आंकड़े १९५७ से पहले अलग नहीं रखे जाते थे । १९५७ से निर्यात के मूल्य के बारे में जितनी भी जानकारी उपलब्ध है वह नीचे दी गई है :—

वर्ष	गाय/बछड़े की खालें (कमाई हुई) (मूल्य रु० में)	पशुओं का मांस (मूल्य रु० में)
१९५७	७६ लाख	३.४ लाख
१९५८	५० ,,	०.४ ,,
१९५९	११९ ,,	५.३ ,,
१९६० (जन०-अगस्त)	६६ ,,	२.७ ,,

(ग) बम्बई, कलकत्ता तथा मद्रास ।

(घ) निर्यात निजी फर्मों द्वारा किया गया । इनके नाम उपलब्ध नहीं हैं ।

Small Scale Industries in Maharashtra

787. Shri Pangarkar: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the number of persons who were given training in Business Management in Small Industries Service Institutions in Maharashtra during 1959-60; and

(b) the expenditure incurred on them?

The Minister of Industry (Shri Manubhai Shah): (a) 153.

(b) A sum of Rs. 210/- has been spent towards honorarium to guest speakers invited to give lectures. The officers and staff attached to the Institute whose services are utilised for imparting training are employed on other duties also. Expenditure on salaries etc., of the establishment cannot, therefore, be apportioned exclusively for the training in Business Management with any degree of accuracy.

Recording of Events connected with Mahatma Gandhi's Life

788. Shri D. C. Sharma: Will the Minister of **Information and Broadcasting** be pleased to refer to the reply given to Unstarred Question No. 47 on the 1st August, 1960 and state:

(a) the latest position with regard to the implementation of the scheme of the All India Radio to record events connected with Mahatma Gandhi's Life;

(b) whether they have recorded the events relating to Quit India Movement; and

(c) if so, the details thereof?

The Minister of Information and Broadcasting (Dr. Keskar): (a) the fifth radio documentary feature in

English entitled "Gandhi and Tolstoy" was broadcast on 2nd October, 1960.

(b) and (c). Not yet, Sir.

Isotopes

789. Shri D. C. Sharma: Will the **Prime Minister** be pleased to state:

(a) the total targets fixed for production of isotopes during the Second Five Year Plan;

(b) how far these targets have been achieved; and

(c) whether the targets will be achieved during the remaining period of the Second Five Year Plan?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) No targets for the production of the isotopes have been fixed for the Second Five Year Plan. However, it may be mentioned that the isotope production in "APSARA" has far exceeded that which was intended when the reactor was designed. The present production capacity for major isotopes is considerably above the present demand in the country and possibilities of exporting them are being explored.

(b) and (c). Do not arise.

Small Scale Industries in Rajasthan

790. Shri D. C. Sharma: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the number of small industrial units established during 1959-60 for the displaced persons in Rajasthan; and

(b) the details thereof?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). The information is being collected and will be laid on the Table of the House.

Migration from Ceylon to India

791. Shri D. C. Sharma: Will the **Prime Minister** be pleased to state the number of Indians who have migrated from Ceylon to India since August, 1960?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Since 27th August 1960, upto 12th November this year, 1461 Indian nationals migrated from Ceylon, 1219 voluntarily and 242 on receipt of 'Quit Notices'.

Release of Wakf Property

792. Shri D. C. Sharma: Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state:

(a) how much of Wakf property in Madras has been released so far; and

(b) what arrangements have been made for its proper upkeep?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) and (b). The information is being collected and will be laid on the Table of the Lok Sabha when available.

Bharat Sewak Samaj in Uttar Pradesh

793. Shri D. C. Sharma: Will the Minister of **Planning** be pleased to state:

(a) the amount given to the Bharat Sewak Samaj for Uttar Pradesh as grants during 1959-60 and 1960-61 so far;

(b) the details of the work done during the same period; and

(c) the number of branches of the Bharat Sewak Samaj in Uttar Pradesh?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) No grant-in-aid has been given by the Planning Commission to the Bharat Sewak Samaj specifically earmarked for Uttar Pradesh during 1959-60 and 1960-61, so far. The Planning Commission is giving grant to the Central Bharat Sewak Samaj for the Lok Karya Kshetras programme. Out of this, the estimated amount on activities undertaken in Uttar Pradesh is as follows:

1959-60	Rs. 28,918·00
1960-61	Rs. 16,700·00

(b) The amount provided for each Lok Karya Kshetra in Uttar Pradesh is spent for promotion of public co-operation in various development activities in the area covered by the Kshetras.

(c) The Planning Commission do not have precise information.

Passports for China

794. Shri D. C. Sharma: Will the **Prime Minister** be pleased to state the number of Indians who have been issued passports to visit China during the last three months?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): 244 Indians were issued with passports valid for travel to China during the last three months. This number includes 88 Official and Diplomatic passports.

Bharat Sewak Samaj in Orissa

795. Shri Kumbhar: Will the Minister of **Planning** be pleased to state:

(a) the financial aid given to the Bharat Sevak Samaj functioning in Orissa State during the Second Plan period so far, yearwise;

(b) the names of the branches of the Samaj functioning in various districts in the State; and

(c) the amount spent on items of works in each branch during the above period?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) and (c). The Planning Commission has given, through the Central Office of the Bharat Sevak Samaj, grants for two Lok Karya Kshetras as indicated below:—

(*i*)	1956-57 .	Nil.
(*ii*)	1957-58	Nil.
(*iii*)	1958-59	Rs. 500·00
(*iv*)	1959-60 .	Rs. 6,709·00
(*v*)	1960-6 1(so far)	Rs. 4,900·00

The above assistance was given for two Lok Karya Kshetras (i) in Khaira—Balasore District (opened in 1959)—(ii) Sakhigopal—Puri District (1959-60). A grant of Rs. 5,000/- per annum is given for each Kshetra on the basis of the pattern in the Statement laid on the Table of the House. [*See* Appendix II, annexure No. 13].

(b) The Planning Commission do not have any precise information.

Tibetan Delegation to U.N.O.

796. Shri P. G. Deb:
Shri S. A. Mehdi:
Shri Chintamoni Panigrahi:
Shri Aurobindo Ghosal:

Will the **Prime Minister** be pleased to state:

(a) whether the Tibetan Delegation to the U.N.O. asked for any facility from Government; and

(b) how much foreign exchange was given to them?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Three representatives of the Dalai Lama requested the Government for travel documents and foreign exchange;

(b) Each of them was given foreign exchange euqivalent to Rs. 7,500/-.

Loans to Displaced Persons

797. Shri S. M. Banerjee: Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state:

(a) whether those displaced persons from East Pakistan who settled in U.P., Rajasthan and other States except West Bengal were given rehabilitation loans so far;

(b) if so, number of those who received such loans; and

(c) number of those who have not received any loan?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) to (c).

About 1·66 lakh families settled in Assam, Tripura, Bihar, Orissa, Uttar Pradesh, Madhya Pradesh and Rajasthan have been advanced rehabilitation loans. The cases of about 700 families in Bihar, Uttar Pradesh and Madhya Pradesh are under consideration. It is estimated that another 6,000 families will be given rehabilitation loans in Assam and Tripura.

Okhla Industrial Estate

798. Shri D. C. Sharma: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 521 on the 18th August, 1960 and state the progress since made in the construction of 40 buildings for factories under the scheme for the expansion of Okhla Industrial Estate, which was entrusted to National Small Industries Corporation?

The Minister of Industry (Shri Manubhai Shah): Out of 40 factory buildings under construction, 32 are expected to be ready by March, 1961 and the remaining 8 by May, 1961.

Agricultural Tractors

799. Shri D. C. Sharma: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 494 on the 18th August, 1960 and state the up-to-date progress made in connection with the manufacture of agricultural tractors?

The Minister of Industry (Shri Manubhai Shah): Of the four firms licensed for the manufacture of agricultural tractors, one has gone into production from September, 1960. It produced 20 tractors during that month and is expected to produce 50 tractors during November, 1960.

The applications of two other manufacturers for import of machinery/components have also been cleared recently and they are likely to go into production soon.

Sale of Car by a Foreigner

800. { Shri D. C. Sharma: / Shri Raghunath Singh:

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that one Mr. Deniel Ambetchew, Third Secretary in the Imperial Ethiopian Embassy while going on transfer sold his car without necessary permission of the Government and was arrested while he was due to leave the country;

(b) if so, the action taken against him;

(c) whether it is a fact that the number of such cases is on the increase; and

(d) if so, the steps taken or proposed to be taken to check such tendency?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes, Sir.

(b) The deal was cancelled and Mr. Ambatchew was allowed to leave the country after handing over the car in question to his Embassy. The facts of the case have been brought to the notice of the Government of Ethiopia.

(c) and (d). No, Sir. However, the Government have taken steps to ensure that attempts to make such deals do not culminate in actual transfer of ownership of motor cars. It is not in the public interest to announce details of the steps taken or proposed to be taken.

Beggars

801. { Shri D. C. Sharma: / Shri B. C. Mullick:

Will the Minister of **Planning** be pleased to state the progress made in the studies through research schemes instituted by the Planning Commission to check the beggar menace?

The Deputy Minister of Planning (Shri S. N. Mishra): The Research Programmes Committee sponsored the following two studies on the beggar problem:

(i) The beggar problem in Metropolitan Delhi (undertaken by the Delhi School of Social Work); and

(ii) The Beggar Problem in Madras City (undertaken by the Madras School of Social Work).

Reports on the two studies have been published and copies placed in the Library of the Parliament.

Irrigation Works

802. **Shri Bahadur Singh:**
Shri Inder J. Malhotra:

Will the Minister of **Planning** be pleased to state:

(a) whether the Planning Commission has recommended empowering village panchayats through legislation to enforce the obligation to be undertaken in respect of irrigation works by their beneficiaries;

(b) whether any instructions have been sent to the State Governments to implement these recommendations; and

(c) the progress made in the matter?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) and (b). Yes, Sir. A Memorandum setting out the suggestions of the Planning Commission for securing fuller utilisation of manpower resources of rural areas, was sent to all the States by the Planning Commission in January, 1960. A copy of the Memorandum has already been placed on the table of the House with Starred Question No. 624 on 4th March, 1960.

One of the sections of the Memorandum refers to the obligations of beneficiaries in respect of construction and maintenance of certain types of minor irrigaton works. It has been proposed that by legislation village panchayats should be empowered to secure compliance with these obligations.

(c) The replies received from the State Governments indicate that enactment of legislation on the lines suggested is under consideration in Uttar Pradesh, West Bengal, Madhya Pradesh, Assam and Mysore. Bills have been drafted in Kerala and Andhra Pradesh. Orissa, Bombay and Rajasthan are prepared to adopt the suggestions with regard to certain limited categories of irrigaton projects. No specific comments have been offered by Jammu & Kashmir and Bihar, while in Punjab, the Act has been amended to provide for Government doing the work when the beneficiaries default in constructing and maintaining field channels and recovering the cost. An interim reply has been received from Madras.

Film Production Bureau

803. **Shri A. M. Tariq:**
Shri D. C. Sharma:

Will the Minister of **Information and Broadcasting** be pleased to refer to the reply given to Starred Question No. 1046 on the 2nd September, 1960 and state whether the position regarding the legal questions involved in seeting up of a Film Production Bureau has become clear by now?

The Minister of Information and Broadcasting (Dr. Keskar): After careful consideration, it has been decided not to proceed with the scheme for the setting up of the Film Production Bureau.

Auction of Evacuee Plots in Punjab

804. **Shri Ram Krishan Gupta:** Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state:

(a) whether it is a fact that a large number of agricultural evacuee plots were auctioned during the years 1958 and 1959 in Mohindragarh tehsils and towns of Charkhi-Dadri in Punjab;

(b) whether it is also a fact that the confirmation of sales has been stayed;

(c) if so, the reasons therefor; and

(d) approximate date by which these sales will be finalised?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) Yes; 100 plots.

(b) No; the sale of all the plots has either been confirmed or rejected.

(c) Does not arise.

(b) The sales will be finalised when full price has been paid by the purchasers either in cash or by adjustment against compensation.

Indian Cement Factory in Pakistan

805. Shri Ram Krishan Gupta: Will the **Prime Minister** be pleased to refer to the replies given to Unstarred Question No. 342 on the 22nd February, 1960 and Starred Question No. 250 on the 9th August, 1960 and state:

(a) whether negotiations for the purchase of an Indian-owned cement factory in Pakistan by the Pakistan Government have been concluded; and

(b) if so, the results thereof?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) No, Sir.

(b) Does not arise.

Dams under Dandakaranya Scheme

806. Shri Chintamoni Panigrahi: Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state:

(a) the progress made in the construction of the earthen dams across Bhaskal river in Umarkote and Sattigada river in Malkangiri in Dandakaranya area; and

(b) what amount of money has been spent so far on these two irrigation projects?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) and (b). The work on the construction of the Bhaskal dam near Umarkote is likely to be undertaken in the near future. No work could be done during the monsoon. As regards the dam over the river Sattigada in Malkangiri, the project has not been sanctioned as yet.

उत्तर प्रदेश में छपाई और लिखने के कागज के कारखाने

८०७. **श्री भक्त दर्शन :** क्या वाणिज्य तथा उद्योग मंत्री २ सितम्बर, १९६० के अतारांकित प्रश्न संख्या २०३९ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि उन विभिन्न कम्पनियों ने अलग-अलग इस बीच क्या प्रगति की है जिन्हें उत्तर प्रदेश में छपाई और लिखने के कागज के कारखाने खोलने की अनुमति दी गई थी और इस सम्बन्ध में जिनके प्रस्ताव विचाराधीन थे ?

उद्योग मंत्री (श्री मनुभाई शाह) : मांगी गई जानकारी निम्न प्रकार है :—

उत्तर प्रदेश में कागज के नये कारखाने खोलने के लिये जिन आठ योजनाओं को औद्योगिक लाइसेंस दिये गये हैं, उनमें से निम्नलिखित को संयंत्र और उपकरणों का आयात करने के लाइसेंस मंजूर किये गये हैं :—

(१) नार्दन इंडिया पेपर मिल्स, मेरठ,

(२) आनन्द पेपर इंडस्ट्रीज, गाजियाबाद ।

इनमें से पहला कारखाना फ्रांसीसी संभरणकर्ता को आर्डर दे चुका है । दूसरा कारखाना अभी विदेशी मशीन संभरणकर्ताओं से पत्र-व्यवहार कर रहा है तथा

उसने निश्चित रूप से आर्डर देने के बारे में अन्तिम निर्णय नहीं किया है । शेष छः कारखानों ने अभी तक कोई खास प्रगति नहीं की है ।

२ सितम्बर, १९६० को पूछे गये अतारांकित प्रश्न संख्या २०३९ के उत्तर में वर्ग (३) में वर्णित ३ फर्मों में से दो से संयंत्र तथा उपकरणों के देशी निर्माताओं से सम्पर्क स्थापित करने को कहा गया है । तीसरे आवेदनकर्ता, मैसर्स सुरेंद्र ओवरसीज (प्र०) लि० से अपनी योजना का और भी ब्योरा देने को कहा गया है, जो पूरा नहीं था । उनके अन्तिम उत्तर की अभी प्रतीक्षा है ।

Export of Sole Crepe Rubber

808. Shri Warior: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the question of releasing quota for export of Sole Crepe rubber has been decided upon by Government; and

(b) if so, the quantity fixed?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir.

(b) The export quota fixed for the current year is 100 tons.

Report of the Economy Committee for Printing

809. { Shri S. C. Samanta: Shri Subodh Hansda: Shri Halder:

Will the Minister of **Works, Housing and Supply** be pleased to refer to the reply given to Starred Question No. 367 on the 12th August, 1960 and state:

(a) whether the report of the Committee to improve the quality of printing and to effect economy has been considered by Government;

(b) if so, what are the salient points that have been accepted by Government; and

(c) before the Committee was appointed, what concrete steps were being taken to improve the quality of printing and to effect economy?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) The recommendations of the Committee are under examination in consultation with the Ministry of Finance.

(b) Does not arise.

(c) Before the Committee was appointed, the following steps had been taken to improve the quality of printing and to effect economy:

(i) Training of Apprentices in some of the major Government of India presses.

(ii) An Incentive Bonus Scheme based on norms of output in the Government of India Press, New Delhi, as an experimental measure.

(iii) Proposal to set up Mechanical-*cum*-electrical workshops in the Government of India Presses for efficient maintenance of machinery.

(iv) Setting up of a Planning Section in the Government of India Forms Press, Calcutta and proposal to set up similar units in other Presses to streamline production.

Export of Manganese Ore

810. { Shri Vidya Charan Shukla: Shri Damani: Shri N. M. Deb:

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 493 on the 18th August, 1960 and state:

(a) whether recommendations received from the Standing Committee

of the Federation of Indian Chambers of Commerce and Industry regarding export of manganese ore have since been considered;

(b) if so, the nature thereof; and

(c) the action taken proposed to be taken in the matter?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Yes, Sir.

(b) and (c). After giving due consideration to the views expressed by the Federation of Indian Chambers of Commerce and Industry and others, the new Export Policy has been announced. A copy of the press note issued in this connection is laid on the Table (See Appendix II, annexure No. 14].

Promotion of Exports

811. Shri Morarka: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Government has considered the question of reducing the number of organisations dealing with the promotion of exports in the interest of both economy and co-ordinated effort; and

(b) if so, with what results?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) and (b). This question is under consideration.

C.P.W.D.

812. Shri Sadhan Gupta: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether Government's attention has been drawn to the statement of Secretary of the Overseas Indians Association, appearing in the daily edition of the STATESMAN dated the 3rd September, 1960;

(b) whether experienced Indian Building Contractors from Kenya and Malaya were refused registration by the Central P.W.D.; and

(c) if so, the reasons therefor?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes.

(b) No.

(c) Does not arise.

Construction of a Hospital in Tripura

813. Shri Dasaratha Deb: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that no tenders were invited before giving contract for the construction of the 20-bed Hospital at Subroom (Tripura) this year; and

(b) if so, the reasons for not inviting tenders?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Tenders had been called for twice but rejected both the times as the rates received were considered high. It was finally awarded to a contractor by negotiation on the recommendation of the Standing Committee of the Territorial Council.

(b) Does not arise.

Naga Hostiles

814. Shri Hem Barua:
Shri Wodeyar:
Shri N. R. Muniswamy:
Shri P. R. Patel:
Shri M. M. Gandhi:
Shri S. A. Mehdi:
Shri P. G. Deb:

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that a Gram Sevak was killed when Naga hostiles attacked Kigwema village, about 20 miles from Kohima, on the 27th September, 1960;

(b) whether it is also a fact that these Nagas have been attacking the

border posts and killing army personnel and other civilians;

(c) how many such army personnel have been killed on the border during the last six months;

(d) whether Government have taken any action to strengthen the security measures on the border; and

(e) if so, what are they?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes. The Gram Sevak was killed by a party of some ten Hostiles who entered his house and shot him dead at point blank range. the Table. [*See* Appendix II, annexure have since been arrested.

(b) During the last few months there has been only one case of attack on our border posts by the Naga Hostiles. There have, however, been some stray incidents of firing at our posts, patrol and convoys.

(c) Five army personnel and twelve civilians.

(d) Suitable measures have been taken.

(e) The security forces in the area have been redeployed to counter the hostile moves.

Coffee

815. Shri Kalika Singh: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the total expenditure incurred and measures taken for promoting the sale and increasing the consumption of coffee in the country and overseas during the financial years 1956, 1957, 1958 and 1959; and

(b) the defects observed by Government in the method of propaganda and other measures taken so far regarding promotion of sale and steps taken to remove those defects and deficiencies?

The Minister of Commerce (Shri **Kanungo**): (a) and (b). A statement is laid on the Table. [*See* Appendix II, annexure No. 15].

Newsprint Quota

816. Shri Kalika Singh: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 2259 on the 7th September, 1960 and state:

(a) whether the figures of actual imports of newsprint in 1959-60 by the Indian Express Group of Papers, the Times of India Group, the Hindustan Times Group, the Statesman Group and Hindu are now available and if so, what are they;

(b) whether Government maintains any record mentioning besides net entitlement of newsprint in a particular year, the actual utilisation of the newsprint, so allowed to be purchased by the individual newspaper establishments;

(c) if not, the reasons therefor; and

(d) how the facts relating to price page schedule are verified?

The Minister of Industry (Shri Manubhai Shah): (a) No, Sir.

(b) and (c). Specific record showing the actual utilisation of newsprint by the newspapers are not maintained. The newspapers however, furnish annual return giving information regarding circulation, page area and number of pages published. Besides this, record is also maintained about the regularity in publication of each newspaper. A public notice has been issued recently asking the newspapers to furnish a monthly return of disposal of wate newsprint in a prescribed form which also requires information to be given in respect of the consumption of newsprint.

(d) The facts relating to price page Schedule will be available after the Daily Newspaper (Price and Page) Order, 1960 comes into force from the 12th December, 1960.

Heavy Machine Tool Plant

817. Shri Kalika Singh: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given

to Unstarred Question No. 2284 on the 7th September, 1960 and state:

(a) whether the Detailed Project Report in respect of the Heavy Machine Tools Building Plant is still under preparation by Messrs Technoexport of Czechoslovakia;

(b) what are the 7 categories of machines and 22 individual items proposed for production in the preliminary report; and

(c) what will be the approximate cost of the heavy machines and individual items respectively and how much saving in foreign exchange and in the purchase price is likely to be effected as a result of the establishment of the plant?

The Minister of Industry (Shri Manubhai Shah): (a) Negotiations with the Czechs are in progress to settle the terms under which the Project Report is to be entrusted to them.

(b) The 22 machines proposed for production in the Heavy Machine Tool plant and their distribution among 7 categories are stated below:

Categories of Machines	*Models*
1. Central lathes	6
2. Planers	3
3. Horizontal borers	4
4. Vertical boring and turning mills	3
5. Plano-milling machines	2
6. Grinding machines	2
7. Radial drilling machines	2
Total: 7	22

(c) At this stage it is not possible to estimate the cost of production or purchase price of individual items. The saving in foreign exchange likely to be effected as a result of the establishment of the plant would be about Rs. 5 to 6 crores, annually.

Effect of Wages on Agricultural Prices

818. **Shri Ajit Singh Sarhadi:** Will the Minister of **Labour and Employment** be pleased to state:

(a) whether the attention of Government has been drawn to the official paper on the "Effect of Wages on Agricultural Prices" prepared by the Steering Committee on Wages; and

(b) if so, the reaction of Government thereto?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). The note was prepared by the Labour Ministry itself containing available information for the guidance of the Steering Group on Wages.

Crafts Museum

819. **Shri Ajit Singh Sarhadi:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is intended to house the crafts museum in a new building at New Delhi; and

(b) if so, the details of the scheme and its approximate cost?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). It has been decided to construct a separate building for the Handicrafts Museum in Delhi during the Third Five Year Plan, at a total cost not exceeding Rs. 6 lakhs. The details in regard to this building i.e., selection of a site, estimates of construction etc. are being considered.

Mica Bricks

820. **Shri Aurobindo Ghosal:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the factory for manufacturing mica bricks in Rajasthan has been closed down; and

(b) if so, the reason therefor?

The Minister of Industry (Shri Manubhai Shah): (a) The factory remained closed during the period January-October 1960. It has been reopened from the 1st November, 1960.

(b) The mica bricks manufactured by this factory have drawbacks such as mechanical strength, high friability etc. and thus not in sufficient demand, particularly by the Steel

Industry, which reuires insulating bricks of very high mechanical strength, capable of withstanding high temperatures up to 12000C.

Civic Administration in Public Undertakings

821. Shri Aurobindo Ghosal: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Government propose to introduce a new type of civic administration in the townships of public undertakings; and

(b) if so, what?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). The matter is under consideration of the Government.

Indian Embassy at Bonn

822. Shri Indrajit Gupta: Shrimati Renu Chakravartty:

Will the **Prime Minister** be pleased to state:

(a) whether a former *change d'affaires* of the Indian Embassy at Bonn has been removed from the Foreign Service; and

(b) the reasons for his removal?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). No, Sir. The departmental proceedings are still pending.

Employees' State Insurance Act

823. Shri Indrajit Gupta: Shrimati Renu Chakravartty:

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether the Mazagaon Dock, Bombay, has been exempted from the Employees' State Insurance Act as from 1st April, 1960; and

(b) if so, the reasons for such exemption?

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): (a) and (b). The Dock was treated as having gone out of the purview of the Employees' State Insurance Scheme due to a misunderstanding. Instructions have been issued to bring it back into the Scheme, and the workers will be given benefits as if there has been no intervening gap of non-coverage.

Cement Plant

824. Shri Indrajit Gupta: Shrimati Renu Chakravartty:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) the reasons for permitting an Export-Import Bank loan for a new cement plant in private sector; and

(b) whether priorities have been set down for the types of industries in the private sector which will be considered eligible for foreign loans?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). While the cement industry is one of high priority, so far there has been no Export Bank loan utilised for foreign exchange by any cement unit.

The Export Import Bank has been permitted, however, to grant a rupee loan of Rs. 55 lakhs with the approval of the Government of India to Mysore Cements Limited in connection with the establishment of cement factory at Ammasandrara in Mysore State. This rupee loan comes out of the PL 480 counterpart funds which are being operated by the Export Import Bank. The Mysore Cements Limited have raised Rs. 115 lakhs through their capital issue and the balance of Rs. 55 lakhs of their estimated requirement of Rs. 170 lakhs was provided by this loan.

Dry Milk Powder

825. Shri Kunhan: Will the Minister of **Commerce and Industry** be pleased

to refer to the reply given to Unstarred Question No. 1772 on the 30th August, 1960 and state:

(a) whether the enquiry into the alleged black marketing of dry milk powder has since been completed;

(b) if so, details thereof;

(c) whether those responsible have been punished; and

(d) if so, the nature of action taken?

The Minister of Industry (Shri Manubhai Shah): (a) The enquiry into the alleged marketing of dry powder has since been completed.

(b) The Chairman of the Saghan Kshetra Samati, Tajpur conducted the enquiry and examined 8 witnesses from Tajpur. He concluded from the evidence that 60 cartons of "Care" Milk Powder were black marketed. Details of the rate at which, and the party to whom, the milk powder was sold could not be ascertained. He also made the following recommendations in his report:—

(i) That the cost of 60 cartons of milk powder at market rate should be collected from the Secretary of the Saghan Ksherta Samati.

(ii) Inasmuch as the milk powder was meant for free distribution and not for sa e, the Kshe'ra Samati should buy 60 cartons of available milk powder from the market and distribute it in place of the powder black-marketed.

(iii) Legal advice should be sought to institute proceedings against the Secretary, who was responsible for the black-marketing.

The Yojana Samiti of the Saghan Kshetra has accepted the above recommendations.

(c) and (d). The Secretary of the Saghan Kshetra Samati has since been expelled from office and further action against him will be taken after obtaining legal advice in the matter.

कांगड़ा में सहकारी चाय कारखाना

८२६. **श्री हेम राज :** क्या वाणिज्य तथा उद्योग मंत्री ३० अगस्त, १९६० के अतारांकित प्रश्न संख्या १७४९ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि कांगड़ा (पंजाब) में एक सहकारी चाय का कारखाना स्थापित करन में इस बीच क्या प्रगति हुई है ?

वाणिज्य मंत्री (श्री कानूनगो) : कोई प्रगति नहीं हुई है, क्योंकि पजाब सरकार ने अभी अपनी योजना अन्तिम रूप से तैयार नहीं की है ।

Indian Aluminium Company

827. **Shri Kodiyan:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the Indian Aluminium Company L'd., Alwaye (Kerala) has applied to the Central Government for permission to expand the Company;

(b) if so, the nature and extent of expansion proposed by the Company;

(c) whether Government have taken any decision about the application; and

(d) if so, the nature of the decision taken?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). The Indian Aluminium Co., Ltd., Calcu'ta, have applied for a licence under the Industries (Development and Regulation) Act, 1951 for substantial expansion of their existing aluminium smelter at Alwaye (Kerala) from about 5,080 metric tons to 10,850 metric tons per annum. The application is under consideration.

Fire In Pure Jharia Colliery

828. **Shri Subiman Ghose:** Will the Minister of **Labour and Employment** be pleased to state:

(a) whether underground fire reducing the coal seams below to ash had taken place in Pure Jharia Colliery (Bihar) in early October, 1960;

(b) if so, whether the fire has been extinguished;

(c) whether a number of people fled from the quarters for subsidence;

(d) the loss suffered by the management; and

(e) what steps Government have taken in the matter?

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): (a) and (b). The underground fire is an old one which started in the extracted portions of No. 10 seam in 1955. It has not yet been extinguished.

(c) No. The block of quarters which subsided on 4th October, 1960 had been vacated in good time.

(d) The underground work has been stopped since June 1959. No loss in the total output has been reported.

(e) On the advice of the Chief Inspector of Mines, the Coal Board are flooding the affected area from a nearby rivulet and by pumping excess water available in the adjoining mines. The fire is also being blanketed on the surface.

Japanese Delegation on Cottage and Small Scale Industries

829. **Shri Ram Krishan Gupta:** Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 780 on the 25th August, 1960 and state the nature and details of Government decisions taken on the recommendations of the inter-Ministerial Committee on the report of the Japanese Delegation on cottage and small scale industries?

The Minister of Industry (Shri Manubhai Shah): A statement is laid on the Table. [*See* Appendix II, annexure No. 16].

Irrigation Projects

830. **Shrimati Ila Palchoudhuri:** Will the Minister of **Planning** be pleased to state:

(a) whether it is a fact that the Planning Commission have suggested to State Governments to evolve a programme of action for improving financial returns from the irrigation projects in their respective areas during the Third Five Year Plan;

(b) if so, the actual details of the suggestions; and

(c) the reaction of the State Governments thereto?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) Yes, Sir.

(b) The suggestions conveyed are as given below:—

(i) State Governments were advised to speed up and maximise the utilisation of irrigation facilities by the adoption of suitable measures, *viz.*, synchronisation in the programmes for the construction of headworks, canals, distributaries, water-courses and field channels; co-ordinated efforts by Departments, such as Irrigation, Agriculture, Community Development, etc.; setting up development blocks in project areas; setting up demonstration farms; economical use of canal water; supply of improved seeds; fertilisers; etc. The increase in the area under irrigation thus brought about would improve financial

returns from the irrigation works.

(ii) While there has been considerable increase in the value of crops produced as a result of irrigation, and maintenance costs have also greatly increased, there has not been a commensurate increase in the water rates, which, therefore, require upward revision. The existing water rates should also be reviewed revised with a view to bringing in greater uniformity in different regions or irrigation systems in individual States.

(iii) In States where water rates are optional, there should be a compulsory water cess leviable on the entire area for which irrigation facilities are provided, irrespective of whether water is taken by cultivators or not.

(iv) Early necessary steps should be taken for promoting and enacting legislation for betterment levy in States where it does not exist; and for the enforcement of the legislation in States where it has already been passed.

(c) A statement showing the summary of replies so far received from various State Governments is placed on the Table of the House. [*See* Appendix II, annexure No. 17].

Tea Plantation in Palampur

831. **Shri Daljit Singh:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) the acreage of tea plantation in Palampur, Punjab during 1959-60;

(b) whether it has increased from the previous years; and

(c) if not, the reasons therefor?

The Minister of Commerce (Shri Kanungo): (a) 8,068·87 acres.

(b) and (c). There has been no increase. No application for extension of tea area was received by the Tea Board from the estate owners in Kangra district.

Phizo's Campaign in U. K.

832. **Shri Hem Barua:** Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that efforts are still made by a section of the press in the U.K. notably *The Observer* to revive the Phizo Campaign in Britain;

(b) if so, whether a letter written by Mr. M. A. Hussain, the then acting High Commissioner of India in the U.K. was published on the 28th August, 1960 issue of *The Observer;* and

(c) if so, the broad outline of this letter?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) It is true that a few newspapers have given some publicity to Phizo's activities in the U.K. The press in general have not, however, taken much interest in him.

(b) Yes.

(c) In an editorial in the Observer's issue of August 7, 1960, under the caption "India's Frontier" it was alleged *inter-alia* that "Mr. Nehru had brushed aside too casually Mr. Phizo's very grave and detailed charges of large-scale massacre and other atrocities".

Shri M. A. Hussain wrote to refute these insinuations and also quoted from the P.M.'s statement to the Lok Sabha of the 4th August, 1960, in which Phizo's baseless allegations had already been dealt with.

Price of Rubber

833. **Shri Narayanankutty Menon:**
Shri Maniyangadan:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether any representation has been made by rubber growers in

Kerala for increasing the price of rubber; and

(b) if so, what decision has been taken on the same?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir.

(b) Since the prices of raw rubber have been fixed, very recently, after a fresh investigation of cost of production by the Tariff Commission, Government do not propose to review the prices so fixed.

Industrial Estates in Kerala

834. **Shri A. K. Gopalan:**
Shri Kunhan:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) how many industrial estates have been set up in Kerala;

(b) how many of them are fully working; and

(c) what are the reasons for the partial working of the estates?

The Minister of Industry (Shri Manubhai Shah): (a) Six industrial estates at Pappanamcode, Kollakadavu, Ettumanoor, Ollur, Olavakot and Palayad have been set up.

(b) All sheds have been allotted. Production has commenced in most of the sheds.

(c) Does not arise.

Subsidy for Replanting Rubber

835. **Shri A. K. Gopalan:**
Shri Maniyangadan:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Government have received any memorandum from the All Kerala Rubber Growers' Association regarding the implementation of the enhanced rate of subsidy for replanting rubber; and

(b) If so, what action has been taken on the memorandum?

The Minister of Commerce (Shri Kanungo): (a) A Memorandum on the subject was received from the Akhila Kerala Rubber Karshaka Samghadans, Punalur, Kerala.

(b) As all relevant factors had already been taken into consideration before issuing orders regarding enhanced rates of subsidy for replanting rubber, no revision thereof is contemplated.

Bye-products of Salt

836. **Shri Koratkar:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it was brought to the notice of Government by any Government agency that the residue of the salt industry called bittern which is incessantly thrown into the sea, is very rich in invaluable salts like potassium chloride and magnesium sulphate, etc.; and

(b) if so, whether Government have any intention of starting any industry based on bye-products of the salt manufacturing industry in the public sector?

The Minister of Industry (Shri Manubhai Shah): (a) The Salt Experts Committee (1950) and the Salt Committee (1958) drew attention to the potentialities for the recovery of bye-products from bitterns.

(b) The Hindustan Salt Company Limited and the Rajasthan Government propose to recover sodium sulphate from Sambhar and Didwana respectively. Experiments for the recovery of potassium chloride at the salt works in Tuticorin have also been undertaken. At the Government Salt Works at Kharagoda recovery of magnesium chloride and magnesium sulphate has been entrusted to a private party.

Trade Unions of C.P.W.D.

837. Shri Tangamani: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) the names of recognised Trade Unions of Central Public Works Department workers in Delhi as on the 15th September, 1960;

(b) whether the recognition of any Union has since been withdrawn, and if so, the reasons therefor;

(c) whether the registration of any Union has been cancelled, and if so, when; and

(d) whether the unregistered Trade Union continues to be recognised, and if so, the reasons therefor?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) The recognised Trade Unions of the Central Public Works Department workers in Delhi as on the 15th September, 1960 are as follows:

(1) Central P.W.D. Workers' Union, New Delhi;

(2) Central P.W.D. Employees' Union, New Delhi; and

(3) All India C.P.W.D. (Electrical & Mechanical) Employees' Union, New Delhi.

(b) The recognition of the Central P.W.D. Workers' Union, New Delhi has been withdrawn with effect from 24-9-1960 for participating in the strike which was declared illegal, under the Essential Services Maintenance Ordinance, 1960.

(c) It is learnt that the registration of the C.P.W.D. Employees' Union, New Delhi, was cancelled by the Registrar of Trade Unions with effect from 1-9-1960, but that the union has, however, again been registered on 2-11-1960.

(d) The question as to whether the old recognition of the Union should be withdrawn, is under consideration of Government.

Import of Dental Goods

838. Shri Achar: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether representations have been made to Government by the Dental Council of India that import of dental goods and artificial teeth should be increased;

(b) whether Government are aware of the hardship caused by the reduction of imports of dental goods; and

(c) whether Government would review the situation and allow an increase in the imports?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir. A representation was received from the Dental Council of India, New Delhi urging, *inter alia*, the enhancement of the import quota of artificial teeth from 10% to 25% and of dental goods from 120% to 300%.

(b) In view of the liberal imports of dental goods and also of indigenous production, no undue hardship is likely.

(c) Does not arise.

A.I.R., Cuttack

839. Dr. Samantsinhar: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) the average time allotted in a month for Odissi, Karnatic and Hindusthani, both vocal and instrumental music separately, in 1959 in All India Radio, Cuttack;

(b) whether it is proposed to extend time for Odissi music in Cuttack A.I.R. centre in view of the fact that better Karnatic and Hindusthani music is being presented from other A.I.R. centres;

(c) since how long there is no producer entirely for Drama at Cuttack A.I.R. and the reasons thereof and when one would be appointed;

(d) how many members are there in the Programme Advisory Commit-

tee who have special interest in drama and music, either vocal or instrumental;

(e) whether there is any member in the Local Audition Committee who has knowledge in Odissi and also folk music of Orissa; and

(f) on what basis members to the above Committee are selected?

The Minister of Information and Broadcasting (Dr. Keskar): (a). The average time allotted in a month during 1959 for various forms of music broadcast from Cuttack Station was as follows:

		mts.
Oriya Music	Vocal .	1494
	Instrumental	10
Hindustani music	Vocal .	1511
	Insturmental	932
Karnataka music	Vocal .	120
	Instrumental	360.

(b) The present quantum of Oriya music is considered adequate.

(c) There is no Drama Producer at AIR, Cuttack, since September 1960 when the incumbent of the post was transferred from the Station. The post has been advertised and an appointment will be made in the near future.

(d) There are four members on the Programme Advisory Committee attached to the Cuttack Station of AIR who have special interest in music and drama.

(e) Yes, Sir.

(f) Members of Local Audition Committee are selected on the basis of their standing, knowledge and interest in music and as far as possible from among connoisseurs who are not professional musicians.

Handloom Weavers

840. Shri Tangamani: Will the Minister of **Planning** be pleased to state:

(a) whether representatives of handloom weavers met the Minister and members of the Planning Commission on 20th September, 1960;

(b) if so, the nature of representations;

(c) whether it is a fact that they demanded increased allotment for the Third Five Year Plan and greater facilities for export; and

(d) if so, the action taken by Planning Commission in this regard?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) Some representatives of the handloom weavers met one or two Members of the Planning Commission individually on the 17th September, 1960.

(b) and (c). The representatives submitted a memorandum which contained certain suggestions in regard mainly to the target of cloth production for meeting internal requirements and exports under the Third Plan, reservation of the fields of production between the organised and the decentralised sectors of the industry and an increased allotment for the handloom industry.

(d) The suggestions have been noted.

Naga Hostiles

841. { Shri Raghunath Singh: / Shri Assar:

Will the **Prime Minister** be pleased to state whether it is a fact that a lance nayak and an assistant driver received bullet injuries when a gang of Naga Hostiles fired on a jeep of the Eastern Frontier Rifles which was moving on the Imphal-Tamu Road on 6th November, 1960?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Yes.

The jeep was sniped at by the Naga Hostiles at about 1530 hours while on its way from Imphal to Tamenglong in Manipur. A lance naik and the driver of the jeep suffered bullet injuries. Reinforcements were rushed from the nearby post and the area

was searched. The Hostiles, however, managed to escape.

Industrial Survey of Rajasthan

842. Shri Karni Singhji: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Govevrnment have received any blueprint of economic and industrial survey carried out in Rajasthan; and

(b) if so, the details thereof?

The Minister of Commerce (Shri Kanungo): (a) No, Sir.

(b) Does not arise.

Visit of Netaji Subhash Bose's Daughter to India

843. Shri Aurobindo Ghosal: Will the **Prime Minister** be pleased to state:

(a) whether the daughter of Netaji Subhash Chandra Bose has intimated her desire to come to India; and

(b) if so, when?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). Yes, the daughter of Netaji is likely to visit India in December this year. The date of her arrival is not known.

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12 hrs.

MOTION FOR ADJOURNMENT

श्री प्रकाश वीर शास्त्री (गुड़गांव) : अध्यक्ष महोदय, दिल्ली में कल और परसों अकालियों द्वारा कुछ इस प्रकार की घटनायें की गई हैं जिन से दिल्ली की शांति व्यवस्था भंग होने की संभावना बढ़ गई है। उस सम्बन्ध में मैं ने एक स्थगन प्रस्ताव दिया था। पार्लियामेंट से ५० कदम दूर पर जो कल घटना घटी है जिस में ८६ पुलिस के आदमी घायल हुए हैं और डिस्ट्रिक्ट जज, डिप्टी कमश्निर, एस० पी० और डी० एस० पी० जैसे व्यक्ति भी घायलों में सम्मिलित हैं। यहां पर कल अश्रु गैस छोड़ी गई और जिसकी सदन में भी चर्चा हुई। दिल्ली की शान्ति भंग हो गई है। मैं यह निवेदन करना चाहता हूं कि इस सम्बन्ध में विचार किया जाये।

Mr. Speaker: No separate *vichar* is going to happen here. Some persons want some kind of thing to be done in this country and they have some peaceful demonstrations. Whenever it is apprehended that it may interfere with peace and order, then, certainly, police will take action. Some hon. Members have tabled some adjournment motions.....

Shri S. M. Banerjee (Kanpur): Sir, I have another adjournment motion.

Mr. Speaker: I know that. Not one. I know that almost every day the hon. Member tables some adjournment motion. I am aware of that. I have referred to all the adjournment motions. It is a matter of law and order. If hon. Members want a particular thing they can move a resolution. If they want a *suba* let them do so. This is not the way in which to behave.

Again and again, if they are prevented from coming to Parliament House there is trouble. If they come into Parliament House there is greater trouble. What is it that can be done? I can never understand that. (*Interruptions*). Tear gas does not stop at our instance. An attempt was made here to prevent them coming too near the Parliament House. Brickbats and other things were thrown. It is all there in the newspapers. Everyone knows it. In spite of trouble being there on the spot the Police took action. Some of them were beaten and this is what happened. Instead of thanking them we are trying to move adjournment motions against them. This is rather curious. I do not know whether we can get along here. All of us will have to stand outside as policemen and then adjourn the proceedings of the House and carry on. This is coming to that. In right manners what I expect is this. Centainly, the Opposition is entitled to bring it to the notice of the House. Whenever Government does it properly, even then, there is an accusation.

[Mr. Speaker]

Apart from this I would not take any reference what Government has done—I am interested in seeing that the Parliament House is safeguarded. Therefore, hereafter what I would say is, whatever may be the nature of the demonstration, they ought not to be allowed to come within a furlong roundabout the Parliament House. Otherwise, we have the disadvantage of having the tear-gas. The hon. Prime Minister had to come out and I had to be rubbing my eyes. But this is inescapable. Whoever uses the tear-gas cannot command the tear-gas to stop at a particular point and not spread here and there.

In these circumstances, this is an ordinary matter of law and order. If those people want to have a suba and go about it of course, they can do so peacefully in other ways. Therefore, I have disallowed these motions. (*Interruptions*).

This is likely to create a tense situation unnecessarily. The matter of the police and the brickbats is stated here. I do not know if the brickbats were thrown over our Parliament anyone of us will stand. Under these circumstances, I have rightly disallowed these motions. There is no occasion for them. We cannot do anything more than what the Police were doing. There is no good entering into this discussion, I request hon. Members not to press their adjournment motions. I have disallowed them.

Shri S. M. Banerjee: I have not asked about this adjournment motion. I have another.

Mr. Speaker: I will allow some other adjournment motion some other day. Next item, papers to be laid on the table.

REPORTED DISTURBANCES IN A COLLIERY NEAR ASANSOL

Shri S. M. Banerjee: Sir, there is another adjournment motion. I have not received any intimation about that

Raja Mahendra Pratap (Mathura): Sir, I have to say.....

Mr. Speaker: The hon. Member cannot have a special Parliament and a special session for himself. Every time I find that he is trying to take advantage. He cannot rise like this...

Raja Mahendra Pratap: Sir, I have every right to say that...

Mr. Speaker: The hon. Member has no right to stand when I am standing. I have disallowed the other adjournment motion also.

Shri S. M. Banerjee: But I have not received any intimation, Sir.

Mr. Speaker: I now say it is disallowed.

Shri S. M. Banerjee: This is not a matter of law and order, Sir.

Raja Mahendra Pratap: He is standing, Sir. (*Interruptions*).

Mr. Speaker: Order, order. Tomorrow I will ask the Labour Minister to say what exactly has happened. With respect to this matter the Labour Minister may say tomorrow what has happened. Not tomorrow, the next day.

The Deputy Minister of Labour (Shri Abid Ali): Just now I can give it, Sir.

Mr. Speaker: Yes.

Shri Abid Ali: Two employees of the company working as peons were doing the business of money-lending and charging a high rate of interest to the extent of 25 per cent. To give protection to this business of theirs they organised a trade union and got the support of some communists in the area. Accordingly, the union was affiliated to the AITUC. With this additional power, these money-lenders-*cum*-trade union organisers tried to snatch the pay packet of a worker who was not in a position to pay the debt. And his claim was that he had paid more than double the amount which was lent to him. These money-

lender peons, organisers of the union mercilessly beat the worker. Thereupon other workers resented this high-handedness and a scuffle followed resulting in breach of peace and dislocation of the work. The West Bengal Government are taking appropriate steps in the matter to restore peace in the area, so that the colliery may start working again fully.

Shri S. M. Banerjee: I want to know one thing, Sir. I would have moved an adjournment motion even on the 19th, the day when the firing took place. I did not do it because one of the hon. Members of this House, Shrimati Renu Chakravartty visited that place to make an on-the-spot investigation. She has sent a telegram now. We expected this **** story from the hon. Minister right from the beginning; but the facts are otherwise. (*Interruptions*). I did not disturb the hon. Minister. Let me proceed; let there be discipline.

The Special Correspondent of the *Statesman* recently visited that particular area. This is in the *Statesman*. Now, about 600 workers who are not members of the Union are out of job.

Shri Raghunath Singh (Varanasi): What is all this?

Shri S. M. Banerjee: There is a partial lock-out in that particular Satgram colliery which is supposed to be one of the biggest collieries, there.

One side of the story is that the money-lenders formed a union, whereas our information is that the agent of that particular colliery is a money-lender himself. (*Interruptions*). The facts are.

Mr. Speaker: Order, order. So far as the colliery is concerned, unless it is a government colliery, the Parliament cannot go into the matter. There is absolutely no casualty. Every small matter cannot be brought here. If there is some dispute, there will be lock-outs, there will be strikes. This is purely a matter of law and order. Somewhere somebody, one of the workers or not, lends money and there is some scuffle. Should Parliament, standing for the whole of India, go into these small matters? (*Interruption*). No, no; this is too trivial a matter for this House to be taken note of.

Shri S. M. Banerjee: There is no enquiry in that area.

Mr. Speaker: The West Bengal Government is making enquiries.

Shri S. M. Banerjee: The mines are under the Central Government. The Regional Commissioner there has not consulted the Union representatives at all. These facts will go into the papers that it is only a question of money-lenders. It is a question of the running of the mine.

Mr. Speaker: I am not going to allow that. Let us await the results. (*Interruptions*). Order, order. I am not satisfied that the Central Government should rush immediately there and be answerable to this House for some small trouble that arises there. The hon. Minister has stated facts. Of course, they are refuted. Now, the West Bengal Government is looking into the matter and taking steps.

Shri Abid Ali: They are doing the needful to restore peace and order in that area. (*Interruptions*).

Shri Tangamani *rose*—

Mr. Speaker: I am not going to allow all this.

Now, let us go to the next item, Papers to be laid on the Table. Shri Manubhai Shah.

Shri Tangamani (Madurai): From the newspaper reports what we find is this . . . (*Interruptions*).

Raja Mahendra Pratap: Sir . . .

Mr. Speaker: Will the hon. Member sit down or not?

Raja Mahendra Pratap: When our opinions are not heard, I better leave the House.

12.09 hrs.

Raja Mahendra Pratap then left the House.

****Expunged, as ordered by the Chair.

12.09½ hrs.

PAPERS LAID ON THE TABLE

Notifications under Central Silk Board Act, Notification re: Committee on Low cost car and Annual Report of Praga Tools Corporation Ltd.

The Minister of Industry (Shri Manubhai Shah): Sir, I beg to lay on the Table—

(1) A copy of each of the following Notifications under sub-section (3) of Section 13 of the Central Silk Board Act, 1948:—

(i) G.S.R. 1291 dated the 5th November, 1960 making cerain further amendments to be Central Silk Board Contributory Provident Funds Rules, 1955.

(ii) G.S.R. 1326 dated the 12th November, 1960 making certain further amendments to the Central Silk Board Rules, 1955.

(iii) G.S.R. 1327 dated the 12th November, 1960 making certain further amendment to the Central Silk Board Study Leave Rules, 1955. [*Placed in Library, See* No. LT-2465/60].

(2) A copy of Notification No. A.E. Ind. 1 (90)/60 dated the 20th October, 1960 regarding the appointment of an Expert Committee on the manufacture of a low cost car in India. [*Placed in Library, See* No. LT-2466/60].

(3) (a) A copy of the Annual Report of the Praga Tools Corporation Limited, Hyderabad, for the year 1958-59 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of Section 639 of the Companies Act, 1956.

(b) A copy of the review by the Government of the working of the above Corporation. [*Placed in Library, See* No. LT-2467/60].

12.10 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

IMPORT OF COCONUT OIL AND COPRA

Shri Kunhan (Palghat—Reserved—Sch. Castes): Sir, under Rule 197, I beg to call the attention of the Minister of Commerce and Industry to the following matter of urgent public importance and I request that he may make a statement thereon:

> "The situation arising out of the policy of the Government allowing exporters of groundnut oil to import coconut oil and Copra."

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): Sir, it is 1¼ pages long; shall I read it?

Mr. Speaker: Not necessary. He may lay it on the Table.

Shri Satish Chandra: Sir, I beg to lay the statement on the Table of the House.

STATEMENT

Coconut oil is not allowed to be imported and the question of its import by the exporters of groundnut oil does not arise.

2. Groundnut oil has been an important source of earning foreign exchange which in the year 1955 amounted to about Rs. 21 crores. Though the production of groundnut improved in subsequent years it became difficult to export groundnut oil on account of high internal prices and severe competition in foreign markets.

3. It was decided sometime ago to link the export of groundnut expeller cake carrying a good margin of profit with the export of groundnut oil to compensate the loss incurred in selling the oil at international prices. The gap between the internal and world prices widened further during the current year and this link of groundnut expeller cake became ineffective.

4. The landed cost of imported copra is much lower than its local price so that the actual users of crushers who

get import allocations enjoy a high margin of profit. It was felt that part of the profits earned on imported copra for which appreciable amount of foreign exchange is spent should also be linked with the export of groundnut oil.

5. Tenders were, therefore, invited to quote the minimum quantity of copra to be imported against the export of each ton of groundnut oil. This was done to provide an additional incentive to the usual export allotment of 3-1/2 tons of expeller cake for each ton of oil.

6. The total quantity of lowest tenders which have been accepted comes to only 175 tons of copra at the rate of half ton for each ton of groundnut oil to be exported. This quantity is negligible in comparison to the total import of copra which was about 90,000 tons in 1959.

7. It is obvious that the small qauntity of 175 tons is not likely to affect the copra crushing industry in any way. Government will, in formulating any scheme for promotion of exports, ensure the supply of imported copra in reasonable quantites to the actual crushers.

12.11 hrs.

BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): With your permission, Sir, I rise to announce that Government Business in this House for the week commencing 28th November, 1960, will consist of:—

(1) Further clause-by-clause consideration and passing of the Companies (Amendment) Bill, 1959, as reported by Joint Committee.

(2) Consideration and passing of the Preventive Detention (Continuance) Bill, 1960.

(3) Discussion and voting of the Supplementary Demands for Grants (Railways) for 1960-61.

(4) Consideration and passing of:—

Indian Post Office (Amendment) Bill, 1960;

Railway Passenger Fares (Amendment) Bill, 1960;

Industrial Employment (Standing Orders) Amendment Bill, 1960;

Prevention of Cruelty to Animals Bill, 1960 as passed by Rajya Sabha.

(5) Discussion on the Report of the Direct Taxes Administration Enquiry Committee, 1958-59 and the memorandum of dissent, comments, and recommendations by Shri G. P. Kapadia on the Report, laid on the Table of the House on the 21st December, 1959 and the statement of the Finance Minister on the more important recommendations of the Enquiry Committee, laid on the Table of the House on the 9th September, 1960, on a motion to be moved by Shri S. M. Banerjee and others on Tuesday, the 29th November, at 3 P.M.

(6) Discussion under Rule 193 of the Rules of Procedure and Conduct of Business in Lok Sabha to be raised by Sardar Iqbal Singh and others on the Indus Waters Treaty laid on the Table of the Lok Sabha on the 14th November, 1960, on Wednesday, the 30th November at 3 P.M.

Shri Braj Raj Singh (Firozabad): You were pleased to say that two no-day-yet-named motion would be taken up every week. Next week, we

[Shri Braj Raj Singh]

are taking up two motions. This week we are taking up only one. Therefore, may we request you to impress upon the Government to take up the third motion next week?

Shri Satya Narayan Sinha: It was agreed that we should take up one no-day-yet-named motion every week.

Mr. Speaker: The other day in the Business Advisory Committee, having regard to the fact that there are as many as 60 no-day-yet-named motions on reports placed before the House which are sought to be discussed, a sub-committee was appointed to go into this matter. I know that there is not enough time to have a discussion on every one of these reports. We tried to find out if it was possible to have two motions a week; Government had already agreed to one motion being taken up this week. Whenever we are free and there is light work, we will try to have two. Otherwise, we will normally have one.

Shri Satyanarayan Sinha: We are committed to one motion every week.

Mr. Speaker: Now and then the House may sit for some time more and the Government also may agree.

Shri T. B. Vittal Rao (Khammam): The report of the Direct Taxes Enquiry Committee is the subject matter of one of the no-day-yet-named motions. We request that the Government may bring forward a motion so that we can have at least one full day.

Mr. Speaker: There is no meaning in throwing the responsibility upon the non-official Members and make them ask for no-day-yet-named motions in which case there will only be two hours. Normally, when reports are placed on the Table of the House, in respect of important reports, the Government must themselves bring motions for consideration of those reports as, for instance, in the case of the report of the Commissioner for Scheduled Castes and Tribes. I consider this Taxation Enquiry Committee Report is one such case where the Government must move a motion themselves. There is no meaning in asking the Opposition to do so for a couple of hours. I shall discriminate between one and the other and try to put those which the Government must sponsor and the others which can be sponsored by the non-official side.

Shri Satyanarayan Sinha: In some cases we do so.

Mr. Speaker: This may be considered.

Shri Satya Narayan Sinha: Because the hon. Members are so alert, let them move these motions . . . (*Interruptions*)

Shri Mahanty (Dhenkanal): May I make a submission?

Mr. Speaker: For how long?

Shri Mahanty: You will appreciate that the Indus Water Treaty is agitating the minds of the people and the Government must come forward with this motion. If only two hours are allotted to this on account of being sponsored by a Private Member, no justice can be done to it. Already injustice has been done by not bringing up this matter before the Parliament. If we are given only two hours now, no justice can be done to it. I submit that the Government may come up with this motion and sufficient time may be allotted for it.

Mr. Speaker: Very well. The Government will note it.

12.16 hrs.

TRIPURA EXCISE LAW (REPEAL) BILL*

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): Sir, I beg to move for leave to introduce a Bill to provide for the repeal of the Tripura Excise Act.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the repeal of the Tripura Excise Act."

The motion was adopted.

Dr. B. Gopala Reddi: Sir, I beg to introduce† the Bill.

12.16½ hrs.

COMPANIES (AMENDMENT) BILL—*cd.*

Mr. Speaker: The House will now take up further clause-by-clause consideration of the Bill further to amend the Companies Act, 1956, as reported by the Joint Committee. Shri G. D. Somani may continue his speech.

Shri Somani (Dausa): My amendments Nos. 94, 95, 96 and 97 to clause No. 70 read as follows:

Page 36,—

after line 24, *add*—

"Provided that before directing a special audit of the company's accounts, the Central Government shall give notice to the company of its intention to appoint a special auditor stating the reasons therefor and give the company an opportunity to show cause why such special audit should not be directed and if the Central Government is reasonably satisfied with the explanation, the said special audit shall not be directed.

(1A) Where the Central Government makes an order under sub-section (1), the company or any person aggrieved thereby may apply to the Court against such order and the Court may, if it thinks fit, vacate such order after giving the Central Government an opportunity of being heard." (94)

Page 37,—

omit lines 1 to 7. (95)

Page 37, line 9,—

after "Central Government" *insert*—

"shall furnish a copy of the report to the company and". (96)

Page 37,—

for lines 14 to 18, *substitute*—

"receipt, that Government shall send to the company a report with its comments thereon and require the company either to circulate a copy of the report or such extracts thereof as the Central Government may indicate to the members or to have the report or such extracts read before the company at its next general meeting." (97)

I may say that I am not opposed to the principle underlying this clause. I am opposing this clause as in my opinion this clause is neither necessary nor desirable and it will do more harm than good. I listened very carefully to the arguments put forward by Shri Morarka and Shri Nathwani yesterday supporting this clause but I respectfully submit that I still remain unconvinced. I had opportunities to function as chairman of certain investigation committees appointed by the Ministry to investigate the affairs of certain textile companies which had come to grief and the members associated with me in such committees and I felt that no

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*Published in the Gazette of India Extraordinary, Part II—Section 2, dated 25th November, 1960.

†Introduced with the recommendation of the President.

[Shri Somani]

useful purposes was served by these investigation committees carrying out a sort of *post mortem* about the affairs of companies which had already reached a stage where no remedy is possible or feasible. If action has to be taken, it had to be taken at an earlier stage. Under those circumstances, I am not opposed to any action which the Government may take to ensure that no company comes to grief due to mismanagement or other factors. But what I want to submit is that in my opinion this action is neither necessary nor will it serve the purpose for which the clause has been inserted here.

Hon. Members are aware that this clause did not form part of the original Bill, nor was it recommended by the Sastri Committee. This proposal was mooted by certain hon. friends in the Joint Committee and was, of course, accepted by the Committee. I do not raise any quarrel so far as this aspect of the procedure is concerned, but I would like to submit that I do not agree with the plea that was put forward yesterday that this is some sort of a compromise between two extremes—the circumstances under which no action need be taken and the circumstances under which the investigation into the affairs of a company may be ordered. Out of these two extremes it has been pointed out that this is really a very satisfactory compromise. But I would like to say that so far as the reputation or creditworthiness of any company is concerned it does not make the slightest difference whether the Government takes action to appoint a special auditor to go into the affairs of that company or the Government appoints an investigation committee to investigate the affairs of the working of that company. So far as the reputation or creditworthiness of the company is concerned the damage is equal in both the cases.

Therefore, purely from the negative point of view this compromise does not at all serve any purpose inasmuch as the damage to the reputation and creditworthiness of the company will be equal whether the Government orders a special audit by a special auditor or orders the appointment of an investigation committee. On the orther hand, looking from the positive point of view, this is nothing more than a sort of a fact finding enquiry to which the special auditor is entrusted to find out the various aspects of the company's working. So far as the actual action to be taken against the company is concerned, that action, again, has to be taken under the various other powers which the Government already enjoys under the Companies Act and also the Industries (Development and Regulation) Act.

My submission, therefore, is that this clause does not give to the Government any other extra power than those enjoyed by the Government already under the various other clauses of the Companies Act as well as the powers enjoyed by the Government under the Industries (Development and Regulation) Act. What I would like to ask the hon. Minister is, whether this sort of a fact finding enquiry could be conducted otherwise than by having this public appointment of a special auditor. It has to be announced by way of a Press note by the Government that they have appointed a special auditor to go into the affairs of a particular company. My suggestion is that the same fact finding enquiry can be conducted either by the Registrar or by any other officer of the Company Law Department to find out the nature of the data and details which the special auditor was supposed to find out during the course of his special audit of the accounts of the company.

Sir, the mischief or the injury to the reputation and creditworthiness of any company about whose affairs the special auditor later on may have nothing to complain will be avoided if this fact finding details could be found out by a method other than the one

contemplated in the clause under discussion. My submission is that there cannot possibly be any difficulty for the Registrar or for the Company Law Department to ask for such explanations or such details either from the auditor appointed by the shareholders or from the management of the company in the light of the printed balance-sheet of the company. The printed balance-sheet and accounts of the company does indicate in a broad outline the financial state of the company concerned, and if on the basis of that balance-sheet any further explanation or details are necessary, naturally, the Registrar has not only got the powers to ask for explanations but he can also ask for records and accounts books of the company to be produced before him. He can then make such enquiry as the special auditor is supposed to make.

Sir, one of the criteria laid down to appointed a special auditor is that, if the Government is of the opinion that the work of the company is not carried on on sound business principles or prudent commercial practices it can appoint a special auditor. I do not think it will be possible for any auditor or any special auditor to give his judgment whether the working of any company is going on on these lines. I beg to submit, it is rather very vague, it cannot be defined and it gives certain powers to the Government which certainly cannot be exercised in any precise manner.

Another criterion is that, if the working of any company is likely to cause any injury to the trade or industry the Government can appoint a special auditor. May I, Sir, in this connection, enquire one thing? Supposing there is a very efficient unit in any industry and that efficient unit chooses to undersell its goods compared to various other industrial units of that industry then that underselling by that efficient unit may also cause a lot of injury to the rest of the industry. Is it contemplated that because a unit which is very efficient, which has got a very modern machinery, chooses to undersell its manufactured goods, at prices much lower than what its other competitors can afford to sell and thereby the undersale by that efficient unit can cause a certain amount of injury to the other units of the industry, it will be the duty of the special auditor to go into the working of that efficient unit and take action under this clause? I think, Sir, it would be quite an absured proposition to do so.

Shri Naushir Bharucha (East Khandesh): If it is an uneconomic rate war, would it not be doing an injury to the nation?

Shri Somani: That is not contemplated under this clause. The purpose of this clause is not to go into the question of uneconomic competition or uneconomic rate war, whatever you may call it. That is something else which has to be dealt with by some other action of the Government. The present clause is only inserted to ensure that the mismanagement of any company is not allowed to continue and whenever the Government feels that there is cause for action then it can appoint a special auditor. What Shri Bharucha has in mind is certainly not relevant to this clause.

Then, the question about solvency of the company has also been referred to. That, again, is hardly to be helped by the appointment of any special auditor; if anything, the appointment of a special auditor will only cause further damage to the solvency of the company and the company will be put to unnecessary loss and inconvenience. It was argued yesterday that if the special auditor clears the affairs of the company, then the company at that stage will come out with flying colours. That does not serve the purpose. The damage is already done, and the management of that company which may not at all be guilty of any mismanagement will have to suffer simply because the order for a special audit has been issued.

My point in stressing all this is, that while you can serve the same purpose

[Shri Somani]

of making all possible enquiries about the working of a company through the office of the Registrar or any other officer of the Company Law Administration, it will be something too premature to appoint a special auditor only to find out that there is no cause for action. If genuinely there is a case for action, then I say that it is not the special audit which will help the Government to take action. Then it is the appointment of an investigation committee, the appointment of some directors on the Board on behalf of the Government or action under certain other powers which are available to the Government under the Indian Companies Act that will help the Government. This power which is being sought to be taken will not help the Government when they have to deal with real mismanagement cases of the corporate sector. The powers are already there under the Companies Act or under the Industries (Development and Regulation) Act. Those powers can certainly be utilised much more effectively than by the appointment of a special auditor. So why cause this unnecessary embarrassment and publicity for a company on a slight suspicion which might arise by one reason or the other. So long as you can get the same thing done in various other ways, by a departmental enquiry, by an investigation or by the Registrar going into the details of the working of the company, I see absolutely no justification for imposing a special audit into the affairs of any company.

Then, it is also indirectly, more or less, a reflection on the work of the existing auditor. If the existing auditor is at fault, by all means the Company Law Department can take action and ask for explanation from that auditor. Certainly all auditors function under certain code of conduct, ethics and, naturally, there is enough remedy so far as the defects or deficiencies of the functioning of the auditor are concerned. There is absolutely no reason why any other outside auditor should be imposed on a company simply because something comes to light. My complaint, and my submission in the past has always been that the Government are already armed with various powers under the various Acts. What is required is to take action in really serious cases and to take an effective action. It is no use going on arming with powers which are not utilised and which are not necessary and which naturally add to the apprehension of the various interests concerned. We are to present on the threshold of certain ambitious programmes of industrial development in the private sector where the foreign investors are also to play a very dominant and a very important role, and it is, therefore, in the context of the need to do everything possible to encourage the productive enterprises as far as possible and not to create any discouragement of any sort of measures which are likely to prove as a deterrent to the capital formation or to the investment capital from abroad, that I plead with all the earnestness that I can command that the purpose for which this clause is being sought to be inserted can be served very satisfactorily and to the same extent by taking recourse to the various other measures. Indeed, so far as any action that the Government want to take against any company is concerned, it is not the statutory obligation; today, an industrial unit cannot afford to ignore the advice of the Government. Many other actions are taken by the industry in a voluntary manner simply on the advice of the Government and there is no reason for going on adding to the statutory powers.

What is sought to be done can be done by various other ways. I therefore submit that this clause is unnecessary and that it will cause a lot of difficulty and unnecessary apprehension in the minds of those who are engaged in the corporate sector. I therefore plead that this clause is not necessary.

Shri **Jhunjhunwala** (Bhagalpur): Mr. Speaker, Sir, I do not want to take the time of the House by repeating the arguments which have already been advanced by various hon. Members. The previous speaker has dwelt at length on the necessity or otherwise of this new clause. There is only one point which I want to make regarding this clause. I fully agree with what the previous speaker said, and if this clause should at all be there, I would say that there is great force in what Shri Masani has said, namely, that the company should be given an opportunity to show cause as to why the special audit is necessary. As I said before, there is no necessity for this clause, but, if at all the Government thinks that this clause is necessary, then, the amendment given by Shri Masani should be taken into consideration.

While replying on the general consideration of the Bill, the hon. Minister said that if this opportunity is given to the company, in that case, the company might do away with the record and the information which is necessary to get from the company will not be available. If that is so, I would say that there is no necessity for this clause at all. Under section 234 the registrar has got full powers to ask for any information that he wants. If the Government thinks that the power which is given to the registrar under section 234 is not sufficient to ask for information which is required, then a small amendment to section 234 may be made. The existing provision says:

> "Where, on perusing any document which a company is required to submit to him under this Act, the Registrar is of opinion...".

I would like to suggest that the words "on any information received by him" may be added after the word required.

Then, section 234 (4) says:

> "If the company, or any such person as is referred to in sub-section (2) or (3), refuses or neglects to furnish any such information or explanation,—
>
> (a) the company, and each such person, shall be punishable with fine which may extend to fifty rupees in respect of each such offence;"

This may be deleted. Then, in the place of the word "Court" in sub-clause (4) (b), the word "Government" may be substituted, so that the clause may read like this:

> "(b) the Government may, on the application of the Registrar and after notice to the company, make an order on the company for production of such documents as, in the opinion of the Government, may reasonably be required by the Registrar for the purpose referred to in sub-section (1) and allow the Registrar inspection thereof on such terms and conditions as it thinks fit."

My point in referring to this section is this: the object for which the new section for special audit is being introduced is that if any information comes to the Government and on the basis of that information the appointment of an auditor in necessary, in that case, the Government may direct any special audit. Shri Masani says that unless the company is given opportunity to explain why the special audit is necessary, the special auditor should not be appointed. I fully agree with him and say that if the Government wants that a special audit is necessary, the registrar may be given the power to ask for information not only regarding the document which comes to the custody of the registrar but also such information which might be given to the registrar, and the registrar may have power to ask for any information regarding those materials which come to the notice of the registrar.

Under sub-section (4) (b), the Government may empower the registrar with such powers to call for any other

[Shri Jhunjhunwala]

information as may be necessary. So, my point is that instead of putting in this new clause—clause 234B, the Government can take power to direct the registrar to ask for any information to inspect or give him such instructions as to the way in which he should take the information. The purpose will be equally served by acceding to my suggestion. That would avoid multiplication of more and more clauses which would make the whole law complicated. When the purpose can be served by the existing law, it should not be the policy of the Government to make more and more stringent provisions of the law and unnecessarily create a scare in the minds of the public. Just as my hon. friend Shri Somani said, it should be the policy of the Governmnt to administer the law properly rather than make more and more new laws. If the existing laws are properly administered, I do not think there will be any necessity for bringing in this new clause.

With these remarks, I would say that this clause is not at all necessary. I think the purpose can be served by introducing one or two amendments of three or four words, by giving the necessary power to the Registrar whereby even the purpose of Shri Masani's amendments will be served by that and there will be no scare in minds of the public as the Registrar will ask for information as he does at present in his usual course under section 234.

Shri Tangamani (Madurai): I rise to support clause 70 which has been introduced after so much deliberation by the Joint Committee. It is true that the clause in the present form has not appeared in the original Bill, but there are several other clauses where the intention of clause 70 has been made abundantly clear. When the new clause was introduced the criteria for appointment of special auditor have been very clearly laid down after continuous discussion in the Joint Committee.

I submit that amendments Nos. 8 to 12 and Nos. 94 to 97, which are more or less same, are not conceived properly, because as Shri Morarka himself pointed out yesterday, the appointment of a special auditor gives really more protection to the companies which are functioning properly and where there is solvency. By this clause, we are introducing a new section 233A, which says:

> "Where the Central Government is of the opinion—
>
> (a) that the affairs of any company are not being managed in accordance with sound business principles or prudent commercial practices; or
>
> (b) that any company is being managed in a manner likely to cause serious injury or damage to the interests of the trade, industry or business to which it pertains; or
>
> (c) that the financial position of any company is such as to endanger its solvency,
>
> the Central Government may . . ." etc.

During the first reading itself, several Members referred to the observations in the annual reports of the company law administration where they pointed out how even where the solvency of the company is not sound, dividends were also declared. Instances after instances were given. I am not going into it. Even after the special auditor is appointed, all that the Government says is, the special auditor will have the same powers as the auditor who is appointed under section 227, the only difference being that he makes his report to the Government instead of to the shareholders. Sub-clause (5) makes this clear. The powers of an auditor have been defined in section 227 and wherever there has been ambiguity, that has also been removed.

To show how much carefully the Joint Committee has gone into the

matter, I would refer to certain observations made in the Sastri Committee report. In para 97, they say:

> "Section 227(5) consists of one sentence running into 17 closely printed lines, which it is difficult to interpret. The intention of the draftsmen evidently is, where a company by virtue of other statutory provisions applicable to it is not required to disclose certain matters which under this Act the company is required to disclose, the balance sheet would nevertheless be regarded as presenting a true and fair view of the company's affairs, provided that the relevant statutory provisions are specified therein. This simple matter may be expressed in a few simple words."

This directive in the report has been embodied in a very able manner in clause 68. I must compliment the draftsmen for this. Clause 68(c) says:

> "(c) for sub-section (5), the following sub-section shall be substituted, namely:—
>
> "(5) The accounts of a company shall not be deemed as not having been, and the auditor's report shall not state that those accounts have not been, properly drawn up on the ground merely that the company has not disclosed certain matters if—
>
> (a) those matters are such as the company is not required to disclose by virtue of any provisions contained in this or any other Act, and
>
> (b) those provisions are specified in the balance sheet and profit and loss account of the company." "

My point is, even though we have appointed a special auditor, we are not clothing him with extraordinary powers. Shri Morarka has rightly said that this really enhances the prestige of the auditors. In the first instance, the auditor will be much more careful, because he knows there will be a checking auditor under clause 70 under certain circumstances. This also creates confidence in the minds of the general public and fear in the minds of those people who may not run the affairs of a company in accordance with sound business principles. Apart from that, this is a very salutary provision and a reference to section 227 will make it clear that those who have drafted this amending Bill have applied their minds carefully.

The objection raised by Shri Masani is this. His amendment says: the following proviso should be added:

> "Provided that before directing a special audit of the company's accounts, the Central Government shall serve a notice on the company indicating the reasons why it proposes to appoint a special auditor and shall give the company an opportunity to show cause why such special audit should not be directed if the company shows such case to the reasonable satisfaction of the Central Government, the said special audit shall not be directed."

My submission is this kind of opportunity is given in other instances. Here it is an extraordinary case. As soon as we interfere under clause 70, the reasons are implied. If for any other matter we are going to interfere, there are other provisions. This is a special provision which will instil confidence not only in the minds of the general public, but also in the minds of those who are running the administration of the company on sound business principles. Under the circumstances, I submit that amendments 8 to 12 and similar amendments 94 to 97 should be rejected and the clause should be adopted as it is.

Shri N. R. Muniswamy (Vellore): Sir, we can advance arguments both for the retention and also for the elimination of this clause. The accepted practice usually varies from person to person and from place to place. How far sound business principles or pru-

[Shri N. R. Muniswamy]

dent commercial practices are to be borne in mind and how they are to be implemented is more of a subjective nature. We know that banks have been periodically checked by the Reserve Bank of India. We also know that the Registrar of Co-operative Societies or the Deputy Registrar occasionally lays his hands on the accounts of the co-operative societies in various parts of India. Still, so far as the internal affairs of the company is concerned, it is purely an autonomous body and any interference from the Government or from anybody else will create some sort of scare in the minds of the people. The object for which this clause is introduced is only to safeguard the interests of the shareholders, and we all appreciate the principle. But if there is some announcement that there is mismanagement of accounts in a company, or the commercial practice conducted by a company is not on a sound business principle, certainly that would create a scare. In the end, it is quite possible that the auditor may be satisfied that the accounts are quite correct. But we may not be able to restore confidence or allay the misgivings of the people or the shareholders once a special audit is ordered and it creates a scare. Therefore, though I do not agree with the wording of the amendment suggested by Shri Masani, still I would say that some *via media* course should be thought of by the Government.

Now, take the case of co-operative societies or banks. The accounts of the banks are periodically examined by the Reserve Bank. In the same way, the Registrar of Co-operative Societies examines the accounts of co-operative societies. In the same way, there can be a periodical check of the accounts of the companies by the Government. It can be a special audit or sudden audit, whatever it may be. Suppose some information is received by the Government or the Company Law Administration as regards certain aspects of the working of a company which are not very conducive to that particular company, they can order an audit without announcing it in the paper or in public. If an announcement appears in the paper, the reputation of the company might be jeopardized and ultimately the company may fail. So, in the larger interests of the firm and in the larger interests of the shareholders also, no publicity should be given to such an audit. We have seen several cases where officers have been arrested for doing something which is in the interest of the administration. Then an enquiry is held and the officer contends that what he has done is in pursuance of his official duties. Ultimately, what happens is that the officer is put on some trial and later on he is declared innocent. In the same way, there are firms and firms, belonging to various categories. Suppose a firm does some mischief, which is detrimental to the interests of the shareholders, there is necessity for appointing an auditor. But an announcement about special audit creates thunder and lighting in the minds of the people and, ultimately, there may be no downpour of rain. Government have got every right to have a special audit or concurrent audit, whatever it may be, but they should not give publicity to it. Because, every firm is supposed to have its own autonomy to conduct its administration in its own away. If the conventional method is being departed from by the company, that would be rectified by the company in its own way. Of course, the jugglery in the maintenance of accounts should be stopped. I am quite ignorant of account, because I do not know why a debit is actually shown as a credit, a credit as a debit and ultimately by some other entry that is wiped out. It is not discernible to an ordinary man. We have to see that there are no vagaries or jugglerie in the maintenance of accounts. For that we have got the Company Law Administration, which is an expert body. If a report comes either from the shareholders or responsible quarters that the accounts of a company are mismanaged, Government should analyse and scrutinise such reports and then

order an enquiry. That enquiry can very well be made without creating a scare among the people, particularly the shareholders.

Shri Achar (Mangalore): In the general discussion I have supported the clause on special audit. But here I would like to make a submission, with all humility, as to the actual wording and the effect that the section will have on the company. Firstly, this clause on special audit says "Where the Central Government is of the opinion". How exactly the Central Government comes to an opinion is not clear from this section. It cannot be intuition or omniscience; it must be based on some reports, returns or information. If it is based on them, well and good; nobody will have any objection. It is not likely that always this audit may be ordered only on the basis of those returns or reports; it is likely, sometimes, to be on some information given by some interested persons, probably a minority section of the shareholders. It may happen that, in some cases, a person wants to create some scare in the minds of the people and so he may send a report. Not that Government will always act on this report immediately; but a possibility is there. So, my submission is that nobody should be allowed to set the law in motion without a corresponding responsibility or obligation. A person should not be allowed to make a statement and then get out with it. Suppose an audit is ordered on the basis of a report. Then the company suffers in reputation, shares go down and many things happen. So, such a contingency should not be allowed to happen. If a person makes a report, he must be made fully responsible for that. For example, in the ordinary course of law, if a search warrant is to be issued, it must be supported by evidence. So, if a person makes a report on a company, it should be on affidavit for which he would be criminally liable. This is necessary so that Government need not act on some information which, later on, may be found to be absolutely without any basis.

Secondly, I feel that before a special audit is ordered proper notice should be given to the company. It is one of the basic principles of jurisprudence that no person should be condemned without being heard. Of course, the special audit assumes there was an earlier audit. Even then, the ordering of a special audit means certain serious steps being taken by the Government. It is a very delicate matter. When that rumour is afloat, the shares may go down and people may suffer. So, on such matters, before ordering an audit, a *prima facie* case must be made out; I do not say a conclusive case. The notice can be given even three days before the date of audit. So, I support the amendments of Shri Somani and Shri Masani to that extent; not to the full extent. I am not in full agreement with those amendments, because I feel the audit is necessary but I say that it should not be done without notice. I was surprised to hear even an experienced lawyer like Shri Bharucha saying that if a notice is given then the documents may not be forthcoming and evidence may not be forthcoming. I can understand that sort of argument from a person who is not an experienced lawyer. So far as a compapny is concerned, we know what is the nature of the document that is going to be examined.

There is already an audit report. The account books have already been produced. The documents are there. If they are changed, that itself is a condemnation. That is the end of the matter. I presume that there is a previous audit and there is a previous auditor's report. If that is so, I submit that this short notice being given will not increase the scope. I would go a step further and say: Does the Government think that it will ever be possible that the companies would not come to know that the Government is contemplating special audit, knowing as we do the present administration?

13 hrs.

I would give an instance of my own personal experience during the salt

[Shri Achar]

satyagraha days. Those days the administration was much stricter. They had better control. I was in charge of the *satyagraha*. I remember that before something was contemplated or even thought of in the Collector's office, the information would come to our camp. So I feel that this will be one more source of revenue to the concerned people. Nothing more. From that point of view also it is not practical.

Not only that, I would go a step further. What is the power that this special auditor has got? He has the power only of an ordinary auditor. If really the Government wants to be very strict about this matter, the special auditor must be given all the necessary powers to go with a search warrant. He can take the police, break open the doors and locks, if necessary. That is if you really want to make this section effective. As it is, it is practically of no use. As a lawyer I feel that it is absolutely ineffective if it is with the intention of seeing to it that the other side is not allowed to concoct things. If we really want it to be effective, it has to be changed. The power of an ordinary auditor will be absolutely insufficient. You must arm him with police powers, if necessary, to go to the premises, break open the doors and the boxes and arrest people if they obstruct. That sort of power must be given.

Is it necessary to have such a provision, that is, to have special audit? As I said, I am in favour of special audit. I do not want to take more time. I have taken sufficient time of the House. The only point that I want to impress is that there must be a *prima facie* case to show that there is justification for this.

An argument was put forward that special audit may mean a reflection on the first audit. I do not agree with this. Take the case of the judiciary. The first judge comes to a decision and against that there is an appeal to the High Court. That is no reflection on the first court. Similarly, if there is an audit and if we ask for a second audit by another gentleman, it does not mean that there is any reflection on the first audit. If really there are circumstances and if a *prima facie* case is made out, I can understand a special audit being done. But I feel that the clause as it stands is against the ordinary principles of jurisprudence. You cannot condemn a person without giving him an opportunity to show whether there is a *prima facie* case or not. I have no doubt in my mind that apart from anything else, it would harm even innocent people who may suffer due to this.

Shri H. N. Mukerjee (Calcutta—Central): Sir, this provision in regard to special audit is in our view one of the most welcome innovations which have been made by the Joint Committee. I participate in the discussion only in order to reiterate our support to new clause 70 where this provision has been put in.

I did not have personally the advantage of participating in the work of the Joint Committee and I do not know the factors which were brought to their notice, but I have tried to look up the annual report on the working of the administration of the Companies Act for the year ended the 31st March, 1959 and from the chapter in relation to company accounts and audit I have discovered material enough to justify the provision of special audit as has been made by the Joint Committee.

There is no question of damning all auditors or all companies. My hon. friend, who just now spoke, was referring to the desirability on the part of the Government to break open all the doors if things are bad enough. It may be that occasionally the Government may have to break open all the doors, but for the time being it appears that Government does not want to go the whole hog and therefore all the provisions that reasonably can be adopted without too much detriment to the companies which are now in operation are being sought to be adopted by Government. That is why

Government wants to make sure that in the conditions of our country, at the rate at which we can progress according to the Government's own computation, there should be certain provisions not only in regard to ordinary audit, which is already there under the law, but also special audit because circumstances warrant that kind of special provisions.

There are auditors in our country who surely look upon their jobs and profession as one of great value and propriety and therefore they behave very well. There is no question of condemning all auditors of all companies, but the fact remains from the working of this, as the report for 1959 says, that the new obligations for auditors which were implicit in the change in the law in 1956 were not appreciated by a large number of them. That is why on page 99 of this Report, it was said:

> "An examination of the company accounts duly audited by the auditors and filed by the companies discloses that there is as yet no adequate realisation of this obligation by a majority of the auditors."

It is because in the conditions of our country it is not possible to secure a condition of things where the companies would behave properly and the auditors also would behave correspondingly—it is because of that—that some kind of special steps are necessary.

We have discovered that in relation to very big companies the auditors are faced with a tremendous temptation because, professionally speaking, of their desire to be associated with the work which they have been doing in relation to these very big companies and they know also that these very big companies occasionally take recourse to practices which have to be cloaked over by some kind of professional justification. In order to keep their jobs, so to speak, only to ensure that their occupation is not gone occasionally they have to kotow to the interests of those who manipulate scenes from behind. I am very sorry, but that is the condition of things in our country, which is why so many egregious cases in regard to company direction have come to our notice.

Then again, an idea of a correct and fair assessment of the position of the companies finances has not been appreciated by a very large number of auditors. A correct and fair assessment of the position of the company implies not only that the interests of the company and the interests of the shareholders alone have to be taken into consideration but the interests of the country's economy at large have also to be taken into consideration. Even in British practice I find from a quotation from a statement by one, Mr. W. G. Campbell, that even in Britain they recognise that in exceptional cases the economic interests of the country have to be taken into consideration by the auditors when they certify that a correct and fair state of the financial position has been given out by a particular organisation. In our country, today, the economic interest, of the country as a whole, is of paramount importance. But, to the rather narrow and inhibited view of the auditors and similar people, in general, in our country, that idea has no position in the picture. Therefore, there have been many deviations from the best traditions of Audit practice and the department of Company law Administration has pointed out how failure of duty of auditors has taken place in a rather calamitous manner. The auditors have sometimes made statements which were demonstrably untrue. So many other instances of default have been listed on pages 102 and 103 of this report. We are also told that the department investigated failures on the part of auditors and in 11 cases, after hearing the explanation of the auditors concerned, and after considering all the circumstances of the case, the Government decided not to file any complaint against them. They were, however, duly warned. Eight cases were referred to the Disciplinary committee of the Institute of Chartered Accountants for suitable

[Shri H. N. Mukerjee]

action. Two cases were under examination in the department at the end of the year. We know very well that sometimes, the department also is not quick enough in finding the guilty. But, even the department has discovered so many cases of failure by auditors in the pursuit of their ordinary jobs. Therefore, in spite of the Act of 1956 having laid some special responsibility on the Auditors, it is very necessary that we have to take other extraordinary measures. This idea of special audit has commended itself to the Joint Committee, and that is provided for in the report which has come to us. I do not think that any company is going to be jeopardised on account of this provision. I am sorry I did not hear Shri M. R. Masani this morning. I remember him saying earlier that if a special audit is ordered in relation to a particular company, that company's name would be mud and that, therefore, we should not order special audit without giving that company prior opportunity, so to speak, of defending itself. I do not happen to agree with Shri M. R. Masani's proposition. After all, the interests of the country as a whole are very much more important than the reputation which a particular company might have, and perhaps, it is better that the reputation of many companies which operate today had turned to be mud, not only in common parlance, but also in the eyes of the Government of the day, so that they can take special steps in regard to the operations conducted by these companies. Besides, I do not see why the interests of the shareholders should be jeopardised if there is a special audit. Because, even though there may be certain manipulations and manoeuvres going or in the stock exchange, that should not affect the interests of the shareholders when a special audit is ordered and the Government comes into the picture to see to it that the company is put on the proper road, and the total interests of the economy are subserved by the operation of special audit. I feel that in view of the inadequacies of ordinary audit, even though the Act of 1956 tried to make certain improvements in that regard, the provision for special Audit at the discretion of the Government is extremely important. This is, therefore, a provision which we support with every enthusiasm.

The Minister of Commerce (Shri Kanungo): This clause introduces a new section with a new provision and therefore, it is natural that it will create a certain amount of apprehension. At the outset, I might say that the Government is not anxious to be armed with powers more than is absolutely necessary. Because, when there are powers, whatever they are, the Government is always answerable in the exercise of these powers. Therefore, I do not believe any Government would like to expose itself to opportunities of being accused and offering explanations for their actions.

When we see the evolution of the legislation regarding corporations not only in our country, but in other countries also, we find that various measures of regulations become necessary from time to time as complexities of operation develop and also opportunities are taken by the more unscrupulous elements in society to act in a manner which is not conducive to the well-being of the corporations themselves. The Government is certainly armed with adequate powers of investigation as envisaged in the various sections, 237 onwards. But, the Government is also hamstrung. What I mean to say is this. According to Shri Somani, the Government has large powers. The powers that Parliament has conferred on the Government are severely limited and in actual practice it has been found that the powers are not so adequate. I shall give one example. Section 237 of the Companies Act of 1956, which gives powers to the Government along with the courts and to the company reads as follows:

"..... the Central Government

(a) shall appoint one or more competent persons as inspectors to

investigate the affairs of a company and to report thereon in such manner as the Central Government may direct, if—

(i) the company, by special resolution, or"—

Here, the initiative is with the company.

(ii) the Court, by order, declares that the affairs of the company ought to be investigated by an inspector appointed by the Central Government;

These are the unlimited powers of investigation of the corporation itself and the court. Later on, in sub-clause (b), when it comes to the powers of the Central Government, says that the Central Government may do so on its own motion if in the opinion of the Central Government there are circumstances suggesting—what are those circumstances.

"(i) that the business of the company is being conducted with intent to defraud its creditors, members or any other persons, or otherwise for a fraudulent or unlawful purpose, or in a manner oppressive of any of its members, or that the company was formed for any fraudulent or unlawful purpose; or

(ii) that persons concerned in the formation of the company or the management of its affairs have in connection therewith been guilty of fraud, misfeasance or other misconduct towards the company or towards any of its members;

(iii) that the members of the company have not been given all the information with respect of its affairs which they might reasonably expect, including information relating to the calculation of the commission payable to a managing or other director, the managing agent . . ."

Only if these conditions are satisfied, can Government on its own motion order an investigation, which is certainly an elaborate process of investigation, for which there are adequate powers. There can be circumstances where these serious acts of fraud, misfeasance etc., have not happened; but there are less objectionable operations.

Shri M. R. Masani (Ranchi-East): Such as what?

Shri Kanungo: Such as defined in the clause itself.

Shri M. R. Masani: That is no use; too vague.

Shri Kanungo: It is not so vague. I am coming to it. Mind you, the present clause does not give powers to Government for all the elaborate enquiries; it only gives powers to Government to appoint an auditor, a chartered accountant, and his audit has to be like any other auditor, with a little power added to it at the discretion of the Central Government regarding production of documents and that sort of thing. The clause says:

"(a) that the affairs of any company are not being managed in accordance with sound business principles or prudent commercial practices; or

(b) that any company is being managed in a manner likely to cause serious injury or damage to the interests of the trade, industry or business to which it pertains; or

(c) that the financial position of any company is such as to endanger its solvency."

Shri Masani was apprehensive that these conditions under which the audit can be ordered were rather vague and might be used arbitrarily. I would mention that it is not so vague because these conditions are fairly understood by the profession and by the auditors.

I would merely mention that in the Select Committee of the UK Parliament, where the question was being discussed about the nature of audit, or special audit, by Government, of what

[Shri Kanungo]

we call public undertakings, the Institute of Chartered Accountants themselves suggested that these matters might be looked into. The following matters could be looked into on the instructions of Government:

"Lack of proper administrative and financial control on revenue and expenditure, including purchasing procedures, assets and liabilities;

Substantial capital expenditure incurred which was intended to be productive, but which had not proved productive or upon which an adequate return has not been received;

Expenditure incurred which is of an extravagant or wasteful nature judged by normal commercial practice and prudence;

Any other matters concerned with the financial administration of the undertaking which appear worthy of special note."

Shri M. R. Masani: Surely there can be no comparison between a Government investigating its own companies as in that case and investigating other people's businesses as in our case.

Shri Kanungo: I have mentioned this because, as I said, it refers to only public undertakings.

Shri M. R. Masani: It is has no relevance.

Shri Kanungo: It is assumed that the shareholders can take care of their own affairs. In fact, that is the basis of the Companies Act. Unfortunately, the 1956 Act had to be passed because the shareholders were not able to exercise the rights inherent in them. That relates not only to this particular provision. As Shri H. N. Mukerjee has pointed out, the conditions in our country are such that the bulk of the shareholders are not in a position to effectively ensure their rights. Let us not argue about it, because that was the reason for the Companies Act becoming so elaborate. Possibly some time in the future entrepreneurs and managing personnel, by whatever name they are called, will be more social-minded, and there will be no occasion for invoking any of the provisions of the Act as it stands today. But conditions being as they are, we have to face the situation as it arises.

Therefore, the reason for incorporating this new section in the Act is this, that we do not want to go in for an elaborate investigation as contemplated in the existing sections. As Shri Somani has rightly pointed out, the investigations with which he has been associated as also others almost become post-mortem investigations when no remedy can be applied. If timely remedies can be applied, not by Government necessarily but by the shareholders even or by other agencies; conditions will not come to that stage, and it is exactly to meet such situations that these powers are being taken. One of the functions under this section will be taking a sort of preventive or prophylactic action. No action is going to be taken on that. All the action arising out of this special or any other audit or other circumstances can only be taken in court. The whole struture of the Act is this, that no penalty, barring what you call procedural penalties, can be imposed by Government as such. All penalties are to be imposed by courts. This is, as Shri Somani as rightly said, a fact-finding work. Today this fact-finding work can be done only under the powers of ordering investigations and appointment of inspectors. Without going to that drastic stage, this is a provision by which facts can be elucidated, and those facts may enable the shareholders to correct their own affairs, or, if necessary, Government can launch a prosecution. Government cannot take any action otherwise.

It has been argued that the Registrar, under section 234, has ample powers, and that can serve this purpose. Section 234 says:

"(1) Where, on perusing any document which a company is required to submit to him under this Act...."

That means the Registrar's power is confined to those obscurities and doubts which he finds in the documents which are required to be filed by the company with the Registrar, and nothing more. Therefore, between the Registrar and the Inspector, this is really a very mild form of investigation and fact-finding for a prophylactic purpose, so that more drastic action may not become necessary by the Government, and this is largely in the interests of the corporations themselves so that they may not come to grief.

The argument has been advanced, and rightly so, that the party should have an opportunity of showing cause before any action is taken. I would merely submit that under section 237 the hands of Government are completely unfettered. It only says that the Government may take action if in its opinion there are certain circumstances. In such cases, I can assure the House that this power has not been exercised without asking the company for an explanation. I can also assure the House even today normally, the powers under this clause 70 will not be exercised, that means, special audit will not be ordered without giving an opportunity to the parties or without the parties being informed of it. But I may also make it clear that in special cases, in extreme cases, to which I need not make a reference here, because cases are there, and people who are in the business and the legal world know about them, where quick and immediate action is necessary, it has got to be taken.

I can also assure the House that these powers would not be exercised, as has been suggested, by any subordinate officer as such. So far, all the powers of investigation normally under section 237 have been used only under the final orders of Government, not by any particular officer at whatever level. Apart from the broad principle that the Minister is responsible for the actions of any officer at whatever level, these powers of investigation can be used only by the Central Government, and Central Government means, on the responsibility of the Minister; the normal practice so far has been that that Minister is consulted.

Further, it is our intention that in normal cases, where we think fit, we might consult the commission also, which is an independent body, because section 411 gives powers to Government to refer any matter to the commission, and it contains the words 'on all other matters which may be referred to the commission by the Central Government'.

Therefore, though the provisions of the section as it has been proposed may look rather severe, they are tempered by the procedures that I have indicated, and some of these procedures can also be laid down in the rules.....

Shri Morarka (Jhunjhunu): Tempered by your assurances.

Shri Kanungo: .....so that these things will not be lightly dealt with.

I am very grateful to Shri Somani who has clearly indicated the scope of this section, namely that it is merely fact-finding in character.

It has been said that the reports of such investigations should be made available to the company or the corporation as the case may be, as quickly as possible.

Sub-section (6) of the proposed section 233A reads thus:

> "Provided that if the Central Government does not take any action on the report within four months from the date of its receipt, that Government shall send to the company either a copy of, or relevant extract from, the report..."

So, the period of four months is a statutory limit. That means that Government cannot delay for more than four months, but I believe that it will be possible to do so much earlier,

[Shri Kanungo]

where no action is taken. Where court action is necessary, I can only assure the House that extracts of the report may be made available. But, in certain cases, it may not be made available, because it might prejudice action in courts.

I believe, in the broad context of the happenings of the last several years, and in the background of the rather wild conditions which prevailed before 1956, and in view of the explanations that I have offered, namely, that this section is much milder than what it is imagined to be, this Bill will allay the suspicions and apprehensions of people, and I believe that after a year, the House will have an opportunity to judge whether these powers have been used arbitrarily or not.

Therefore, I commend the clause as it has emerged from the Joint Committee, for the acceptance of the House.

Mr. Speaker: Need I put the amendments to the vote of the House?

Shri M. R. Masani: Yes.

Mr. Speaker: I shall now put amendments Nos. 8, 9, 10, 11 and 12 to the vote of the House.

Amendments Nos. 8 to 12, moved on 24th November, 1960, were put and negatived.

Mr. Speaker: I shall now put the clause to vote.

Shri Kanungo: I think there are some other amendments by Shri Somani also.

Shri Somani: I am not moving them

Mr. Speaker: The question is:

"That clause 70 stand part of the Bill."

The motion was adopted.

Clause 70 was added to the Bill.

Mr. Speaker: We shall now take up the next group of clauses, namely clauses 72, 74, 75, 77 and 79.

There are no amendments to clause 72. Clause 71 has been adopted already. So, I shall put clause 72 to vote now.

The question is:

"That clause 72 stand part of the Bill".

The motion was adopted.

Clause 72 was added to the Bill.

Mr. Speaker: Clause 73 has already been adopted. Now, we come to clause 74.

Clause 74— (*Amendment of section 240*)

Shri Naushir Bharucha: I beg to move:

Page, 42, *after* line 20, *insert*—

'(cc) in sub-section (5), the brackets, figure and word "(2) or" shall be omitted;'. (63).

Clause 74 seeks to amend section 240 dealing with production of documents and evidence. It is being provided now that:

"If any such person fails without reasonable cause or refuses—

(a) to produce to an inspector any book or paper which it is his duty under sub-section (1) to produce; or

(b) to appear before the inspector personally when required to do so under sub-section (2) or to answer any question which is put to him by the inspector in pursuance of that sub-section;

the inspector may certify the failure or refusal under his hand to the court....",

and the court would take action against such persons.

My object in moving this amendment is to see that the party who appears before any such inspector should not be made to answer questions which are likely to incriminate him. I do not know whether indirectly by the amendment of section 240 we could bring this in view of the fact that under article 20(3) of the Constitution, a person is exempted from answering questions which are likely to incriminate him. So my submission is that where a person says that an answer would incriminate him, he should not be compelled to give answer to such a question. Whether he is a company inspector or for the matter of that anybody else, he is a person in authority. So I request the hon. Minister to look into this more closely.

Shri Kanungo: We have thought over it, but in view of the possibility of such a provision offending against article 20 of the Constitution and in view of the judgment of the Supreme Court in what is known as the Harinagar Sugar Mills case, we find that it may not be appropriate to put in this provision.

Mr. Speaker: Is the hon. Member pressing his amendment?

Shri Naushir Bharucha: No.

Mr. Speaker: Amendment No. 63 is not pressed.

The amendment was by leave withdrawn.

Mr. Speaker: The question is:

"That clause 74 stand part of the Bill".

The motion was adopted.

Clause 74 was added to the Bill.

Clause 75— (*Insertion of new section 240A*).

Shri Naushir Bharucha: I beg to move:

Page 43,—*after* line 14, *add*—

"Provided that no books or papers seized by an Inspector under sub-section (2) shall be detained in his custody for a longer period than sixty days without obtaining the permission of the Magistrate". (64).

Clause 75 inserts a new section, 240A, and that deals with seizure of documents. So far as the wording of this new section is concerned, there is no doubt that a provision of this character is necessary. I suppose it is part and parcel of any legislation which deals with investigation of a criminal character. But there is absolutely nothing in this section to say that the inspector seizing the books of account should return them to the company within a particular period of time.

I quite appreciate that Government are faced with two difficulties. If they provide for a time-limit, it is conceivable that the investigation may not be over within that period and the time-limit may have to be exceeded. Secondly, there is the other difficulty, that if they do not provide for a time-limit, probably a lethargic inspector may keep the books of account indefinitely and unnecessarily cause inconvenience to the company.

As I have said all along, so far as this Companies' Act amendment legislation is concerned, I am of the view that sufficient and adequate powers must be vested in the Government or the Company Law Administration; but at the same time, avoidable inconvenience must not be caused. In this particular case, I feel that there should be imposed on the inspector an obligation to be diligent; at the same time, the contingency should be guarded against that in case of an incomplete investigation, they should have sufficient time to complete it.

Therefore, I have put down this safeguard, that in the first instance, automatically the inspector should have 60 days time to carry on his investigation. But later on, if it be-

[Shri Naushir Bharucha]

comes necessary, to have more time, it should be incumbent on him to apply to the Magistrate for extension, in which case the Magistrate will take into consideration relevant facts and see, probably after issue of a notice to the company, whether there is any justification for detention of the books of account.

May I point out that while this new clause relating to seizure of documents is very important for investigation, it is equally important that the day to day business of the company must also proceed? Detention of the books of account must virtually bring the business to a standstill. No company can carry on business if its books of account are seized and indefinitely detained.

Therefore, I have moved this amendment as a precautionary measure. It will make the inspector more diligent in pursuing the investigation; at the same time, it will give him reasonable time to complete the investigation. If there is an exceptional case, the burden should be put on the inspector to ask for extension of time and not for the company to make an application. After all, the inspector knows how far the inspection has proceeded. I would then ask Government to look into the matter.

Shri Kanungo: I appreciate the point made by Shri Naushir Bharucha. It was also discussed at the earlier stages and it was decided that certain safeguards had to be there to ensure the quick return of documents which were not necessary and to see that the inspection or investigation was not unduly prolonged. But we are faced with a situation that an investigation may take years. I do not want to mention cases, but there are investigations which are taking more than two years and are likely to take some time more. Of course, I must admit that this situation has arisen because the present powers and present procedures are not adequate. All I can say is that we can provide by issue of departmental instructions for the quick disposal of cases. Beyond that I cannot go.

Shri Naushir Bharucha: Will departmental instructions be issued to this effect that any inspector requiring more than a stipulated time must approach the head of the Company Law Administration for extension of time?

Shri Kanungo: We will issue instructions to the effect that an inspector who requires more time should get orders from an officer at the higher level.

Shri Naushir Bharucha: I am not pressing my amendment, No. 64.

The amendment was, by leave, withdrawn.

Mr. Speaker: The question is:

"That clause 75 stand part of the Bill".

The motion was adopted.

Clause 75 was added to the Bill.

Clause 77 was added to the Bill.

Clause 79—*(Substitution of new section for section 250)*

Shri M. R. Masani: I beg to move:

Pages 44 to 46,—

for clause 79, *substitute*—

'79. *Amendment of section 250.*— In section 250 of the principal Act,—

(a) after sub-section (2), the following sub-sections shall be inserted, namely:—

(2A) (1) Where as a result of transfer of shares of a company, a change

(a) in the composition of the Board of Directors, or

(b) where the managing agent is an individual of the managing agent, or

(c) where the managing agent is a firm or a body corporate, in the constitution of the managing agent,

of the company may take place any members of the company who claim that such change would be prejudicial to the interest of the Company may apply to the Court for an order under this section provided such members have a right so to apply in virtue of section 399.

(2) If on any such application the Court is of opinion that any such chance would be prejudicial to the interests of the company, the Court may by order direct that the voting rights in respect of those shares shall not be exercisable by the transferees of those shares or any persons claiming through or under them for such period not exceeding three years as may be specified in the order.

(2B) (1) where any members of a company have reasons to believe that a transfer of shares in a company is likely to take place whereby a change

(a) in the composition of the Board of Directors, or

(b) where the managing agent is an individual of the managing agent, or

(c) where the managing agent is a firm or a body corporate, in the constitution of the managing agent,

of the company may take place, such members may apply to the Court for an order under this section provided they have a right to so apply in virtue of section 399.

(2) If on any such application the Court is of opinion that any such change would be prejudicial to the interests of the company, the Court may by order prohibit the transfer of shares in the company for such period not exceeding three years as may be specified in the order".' (13).

My amendment is in the form of a substitute motion for the present clause.

Mr. Speaker: Let me find out which are the other amendments to be moved.

Shri Nathwani (Sorath): I beg to move:

Page 44, line 8,—*omit* "or otherwise". (89)

Page 44, line 15,—*for* "three to 39 and 1 to 10 respectively. (90).

Page 45,—*omit* lines 6 to 10. (91).

Shri Naushir Bharucha: I beg to move:

Page 44, line 15,—*for* "three years" *substitute* "one year". (65)

Page 44,—*after* line 15, *add*—"Provided that the said period of one year may, with the sanction of the Court, be extended to not more than three years". (66).

Page 45, line 23,—*for* "three years" *substitute* "one year". (67).

Page 45, *after* line 24, *add*—

"Provided that the said period of one year may, with the sanction of the Court, be extended to not more than three years". (68)

Shri Somani: I beg to move:

Page 44,—*after* line 15, *add*—"Provided that the Central Government shall not take any action in pursuance of this sub-section

[Shri Somani]

if the company in general meeting so decides by a resolution passed by a tow-thirds majority.". (98).

Mr. Speaker: These amendments and the clause are before the House.

Shri M. R. Masani: Sir, I was saying that my amendment No. 13 substitutes a new clause in place of the present clause. It covers the same ground but arrives at a different solution. Where the composition of the Board of Directors or the individual personality of the managing agent or the composition of the managing agency firm is substantially changed as a result of a transfer of shares, this clause drafted by Government gives the Government a chance to intervene, again arbitrarily, without any set criteria except their own opinion to say that a transfer of shares may not take place for as long a period as 3 years. My amendment meets the same situation by suggesting that a minority of shareholder, who would be 100 or 1/10th of the number of shareholders as under section 399, should have the right, in such a situation, to go to a court of law and ask for an order restraining the transfer of shares for the same period of time.

Behind, this difference lies a very profound philosophical and profound practical difference. The difference is this. How do you deal with what you call a take-over bid? Let me say at this stage that there is nothing wrong whatsoever in shares changing hands and in the management of companies passing from one set of hands to another. It would be a very sad say for this country if all businesses were frozen in the hands of those who control them today. The essence of joint-stock enterprise is competition which is the law of efficiency. Where a particular management does not prove itself to be efficient by the yardstick of profit, it gives way to somebody else who can do a better job of that particular enterprise. And if that safeguard was not there and if all owners were guaranteed the rights of management for eternity, we would soon have a country of bankrupt companies and without any production. Therefore a change in the composition of management is a good thing. We must keep that in our mind when we deal with certain aberrations that take place in that situation.

I concede that there may be occasions where unscrupulous groups may try to corner the shares of a particular company, not with a view to taking over the management for the proper development of the enterprise but in order to milk that company, to shut it down or to prevent some process and so on. When such a thing takes place, which is called a take-over bid, not of a good kind but of a bad kind, then the poor shareholders or a minority of them should have the right to go to a court of law and ask for protection. In other parts of the Act that right is given to 100 shareholders or one-tenth of the number of sharehouders—a minority of one out of ten.

They should have a right to go to a court of law, a body which can be expected to exercise a judicial attitude which, certainly, the government of the day cannot be trusted to do at all times. Therefore, we have to deal with the situation, which is contemplated in emergency cases, where the protection of the shareholders of the company becomes necessary. It is the court, at the instance of the minority, a group of shareholders or a majority group, that should be able to intervene and not the administration of his right in what is caled a right's between my amendment and the government clause.

The clause is clearly expropriatory in its nature. It divests people of their rights. Not only is the shareholder divested of the right in his present shares but he is also divested of lies right in what is called a right's issue and for as long a period as three years the government department is

arbitrarily given the right to expropriate the people of their vested rights.

Shri Nathwani: That right is already there in the existing Act.

Shri M. R. Masani: But here it is in a new context; and that expropriatory principle is further extended. I am not going to justify every part of the Act of 1956. Some of its provisions may be deficient and such defects may be liable to the same, criticism.

Shri Nathwani: The power of Government expropriate does not seem to be extended as you appear to make it out because it is there under sub-section (1). But in subsequent sub-sections such power is not given.

Shri M. R. Masani: I am not at the moment comparing the old section. Maybe there is something in what the hon. Member says. I respect his study of this matter which is much more profound than mine. What I am establishing is this: That for three years the Government is entitled to prevent the exercise of certain property rights. I am told that this particular veto or expropriatory action might even be in violation of article 31 of the Constitution of the Republic. That, however, is a matter for the courts of law, ultimately, to decide.

The test given in the clause is also objectionable. The test given is that the take-over bid may be against "the public interest". I think that again is objectionable. The public interest has nothing to do with the ownership of a particular property or the control of a particular management. It is the shareholders' interest and the interests of the majority or minority of the shareholders and of the enterprise that we are concerned with in Company Law. This bringing in of "public interest" which varies with every man's intelligence and every man's point of view or ideology is unknown to company law. That is not sound. Therefore, this reference to public interest, in my view, is irrelevant. The interest of the company, of the shareholders and also of the minority of shareholders is the real test.

From this point of view I oppose the present clause and move that the clause embodied in my amendment No. 13 be substituted for the present clause.

Shri Nathwani: I rise to support my amendments Nos. 89, 90 and 91. The first amendment seeks to delete the two words 'or otherwise', in sub-section (1). It seems to give powers to the Central Government to issue directions which are of a very drastic nature.

At the outset, I want to emphasise this aspect that the powers which are conferred under this section are of a very drastic nature, even of an expropriatory nature. Of course, under sub-clause (2)(d) the holders of shares are prohibited from receiving even rights issue shares. It is in this context and against this background that we have to see the provisions which are mentioned in this sub-clause which would enable the Government to exercise these powers.

In the original section power has been given to Government to issue these directions in connection with any investigation under sections 247, 248 and 249 so that before Government can exercise any of these powers investigation had to precede. In the light of that investigation or explanation or information collected by Government, Government was to form its opinion. Its opinion had to be formed regarding two matters; one is, that there is good reason to find out the relevant facts about shares. The facts about shares are these. Who are the owners of the shares in the company or who are the real persons in charge of any managing agency company or who are the real Secretaries or the Theasurers? These are the relevant facts. In substance, who controls the company or the managing agency firm or company, whatever it might be.

[Shri Nathwani]

Even after investigation or information was called for, if Government was not able to decide about the ownership of these shares, then, Government was authorised to take the action indicated in one of the several ways. This was a salutary check.

Now, we find that two more words are added. It says:

> "wherever it appears to the Central Government whether in connection with an investigation under the three sections mentioned or otherwise.".

14 hrs.

So, without going through the preliminaries of sections 247, 248 or 249, Government can exercise these powers. I emphasise that this is not an ordinary power. This is a very drastic power. Are we going to confer these powers on the Government even without resorting to these preliminaries? Even discretion is never made absolute. If it is absolute discretion, it is dubbed as absolute tyranny. Therefore, discretion is to be exercised according to law, according to justice and according to well-defined principles. Law has reached its finest moment of achievement when it sought to regulate discretion of even kings, of officers and even Judges. There is always danger in giving an unfettered discretion. As the provisions stand at present, these powers can be exercised even before the Government has conducted an investigation in the manner indicated. In the absence of such an investigation, it is open to the Government to say: we have come to a particular opinion; we have formed this opinion. The danger of arbitrariness and absolutism lurks there and our amendment seeks to do away with it. I hope the hon. Minister will give due consideration to this aspect of the matter.

Then, I come to my second amendment—No. 9 which seeks to do away with sub-section (3) altogether. The reason is not that I am very much against the provisions. I feel that there is considerable overlapping and these powers are not necessary. If as a result of transfer of shares change in the composition of the board of directors or change in the managing agency is likely to take place, then the Government can pass one of the two orders specified in this sub-section. But are there not ample powers under the other provisions of the Act? I shall briefly advert to them. Section 346 clearly states that no change in managing agency will remain in force for more than six months unless it is approved by the Central Government. Therefore, every change in the managing agency has to be approved by the Central Government. This further power, therefore, seems to be unnecessary. Likewise, section 409 says that if, as a result of transfer of shares, there is likely to be change in the management which would prejudicially affect the interests of the company, Government can pass an order asking such a change not to take effect. Are these powers not sufficient or enough? If they are not, what are the reasons? We would like to be satisfied before such drastic powers are taken. Again the expression "public interest" used here is wide. Public interest may be that the quality of the goods to be produced may suffer; maybe, the price may fall or the labour interests may suffer. Then, under the Industrial Regulation and Development Act, you have got ample powers. Are these powers not sufficient to meet the kinds of contingencies that would be visualised? Therefore, unless the Government gives cogent reason for equipping itself with these additional powers, we are not inclined to give these powers.

Now, I come in our amendment No. 91 which seeks to do away with sub-clause (2) of clause (3). We are objecting to the second kind of power. It says here:

"No resolution passed or action taken to effect a change in the composition of the Board of directors .....shall have effect unless confirmed by the Central Government."

This power visualises that a resolution has been passed and therefore a change has taken place in the composition of the board of directors. If so, it conflicts with what is stated in the main part because it says: "whereas as a result of transfer of shares a change in the composition of the managing agency is likely to take place....." It says that this state of affairs is likely to arise. But here we find that a resolution has been passed; a change has taken place; director has been appointed or removed. If this is the state of affairs, we fall to understand the reasonableness of this kind of power being conferred upon the Government. If we go to the clause as it stood in the Bill as it was introduced, we do not find this kind of power. There it does not visualise the second kind of power at all. It is uncalled for, unnecessary and does not fit in with the state of affairs. Therefore, I submit that all these amendments which are moved by us should be duly considered by the hon. Minister. With these words, I commend our amendments.

Shri Morarka: Mr. Speaker, I think, that clause 79 is one of the most important clauses and deserves very serious consideration of the House. Under this clause you are not only interfering with the managerial rights of shareholders but you are also abrogating their proprietory rights and therefore this clause 79 commends itself for the special attention of the House.

14.09 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

Before I come to the amendments which my hon. friend Shri Nathwani has just moved—they stand in our joint names—I would like to make a few general remarks about this clause. When I spoke at the time of general debate on this Bill, I said something about the proxy-pirates and also about protecting good management from the harassment of what I call blackmailers and professional shareholders.

I think, Sir, one can boldly ask of this Government to give such protection to the company management against such undesirable elements particularly when the entire Company Act is designed to impose so many restrictions and so many shackles on the management. You have given rights to the shareholders, you have given special rights to the minority shareholders and you have protected them—rightly, if I may say so—against the oppression of the majority. Having done that, I think there is an equal duty on the part of the Government to give protection to the management, that is the board of directors and others from these undesirable elements which are now coming up.

If I mistake not, there are only two sections in the Companies Act which give some such protection to the company management. One of them is section 250 which, Sir, we are now proposing to re-write by clause 79. The other is section 409 to which my hon. friend Shri Nathwani made a brief reference just now. But even the provisions of these two sections do not go for enough because they do not give any protection against blackmailers or proxy pirates. The only protection they gave is against the people whom I may call "corporate raiders".

Sir, this clause of corporate raiders is not so unknown in this country now as it used to be before, and it is now fast coming up. The country's economy has suffered under the attacks of these corporate raiders. I would like, therefore, to say in some detail about these corporate raiders, because I would very much wish that the Government take note of their activities and make enough provisions

[Shri Morarka]

against the activities of such corporate raiders, proxy pirates and also professional blackmailers.

It is not so easy, in the first place, to distinguish a corporate raider because he does not bear any special identifying marks. As a matter of fact, there are only two chief characteristics of a corporate raider. One is, he has money or an access to money and, secondly, he has a nose for the special situation. Then with the help of professional finders he just finds out his target i.e. the company which he is going to attack. He finds a company after he applies certain tests. Those tests have been very well enumerated by an American writer, and I think this House would benefit by making a note of how these corporate raiders are functioning there and how the same thing is being applied in a lesser degree in this country.

What are those tests which a corporate raider applies before he launches his attack? He selects a company which has got accumulated cash reserve, i.e. cash reserve which is not immediately needed by the company or the cash reserve more than what is needed for its actual business purposes. Secondly, he selects a company the shares of which are quoted, at a price lesser than their actual worth, in the market. Thirdly, he selects a company which has got hidden assets. Fourthly, he selects a company where the management shares have got some option, i.e. where the shareholders are entitled to have further shares because of their holding certain shares. Fifthly, he generally attacks a company which has got a very weak board of directors, where there is conflict of opinion among the directors.

Dr. M. S. Aney (Nagpur): 'Weak' means 'corrupt'?

Shri Morarka: Not necessarily corrupt, but where the directors themselves do not hold many shares and they are always at the mercy of the general body etc. Sixthly, another test is, negligence on the part of the shareholders and a company of which the shareholders are widely spread. If the shareholders of a company are widely dispersed over a wide area and they are not likely to come together, that is one type of company which this corporate raider attacks. Seventhly, the final test applied is on the working results of a company. In order to create some sort of dissatisfaction among the shareholders he selects a company which though otherwise sound does not show fairly good working results.

Mr. Deputy-Speaker, Sir, these are the characteristics for which, as I said, this corporate raider has a special nose. Once he selects his target, the company which he is going to attack, with the help of his professional finders, his next step begins. His next task is to accumulate the shares of that company. He goes on purchasing the shares of that company. He does not, generally, purchase the shares in his own name. He purchases shares in the name of *benamis* or, what is called in America, in the "street name". After having purchased the shares he takes his third step. That is, he comes out in the open. It is made known that he is the person behind all these purchases, he has got the controlling interest or, in any case, the dominating voice. He makes that announcement and the veil of secracy is pierced.

Then comes the final stage. In the final stage he goes to the board of directors, uninvited mostly, and makes a demand for representation in order to safeguard the interests of shareholders, whom he has never met and for whom he is never concerned. When that demand is refused—which is naturally likely to be refused—he enters into what is known as the 'proxy contest'. When he enters into the 'proxy contest' and the proxy battle starts, 99 out of 100 times he is successful in pushing out the old directors who knew something about

the company management and installing himself there.

Shri Naushir Bharucha: Does he justify clause 79?

Shri Morarka: I fully justify clause 79 subject to our amendments moved and I shall try to justify our amendments also.

Shri Tangamani: You are speaking against your amendment.

Shri Naushir Bharucha: So far.

Mr. Deputy-Speaker: He will qualify his observation when he comes to his amendment.

Shri C. R. Pattabhi Raman (Kumbakonam): He spoke about proxy pirates even during the general discussion.

Mr. Deputy-Speaker: That was very interesting.

Shri Morarka: What I am saying is, the powers given under clause 79 are powers which are necessary, in a way, to safeguard the rights of a good management. Those powers need certain qualifications, they need certain curbs. You cannot leave them entirely to the whim of the bureaucracy.

I was speaking about the corporate raiders. A corporate raider functions in three ways: (1) He risks his own money. Though his activities are undesirable, still one may not find fault with him because, after all, he is prepared to risk his own money and undertakes such an adventure. (2) His second way of functioning is, he resorts to what is known as "corporate pyramiding"; he invests the funds of one corporation in another, of a second one in the third, of the third in the fourth, of the fourth in the fifth and like that he goes on building up a pyramid.

Shri Tangamani: Like Mundhra.

Shri Morarka: That is how he makes the entire structure weak. If one link breaks the entire edifice collapses. (3) The third way he functions is, he does not either invest his own money to a large extent, nor does he resort to building up a corporate pyramidal, he only collects a group of share brokers or, what you may call, financiers. They form a group and they start either purchasing shares or canvassing proxies. Here, the major interests does not belong to anybody. It is a group, and then, their purpose is only very temporary, and that is, to upset the regular management of the company, so that their own directors—representatives may get in without any substantial stake in the company nor are they likely to have any substantial stake in future. These are the various activities of the undesirable corporate raiders which are being resorted to, to a great extent in other countries and to a smaller extent even here. I think that the intention behind sections 409 and 250 was mainly this: that before the management of a company is upset, you must satisfy yourself that the persons who are coming in are the genuine investors and that they represent really aggrieved shareholders who want a change in the management of the company and that they are not coming in the form of corporate raiders.

Now, as I said in the beginning, this corporate raider does not wear any special dress or has any special identification mark. How is the company to identify them? The American authorities have laid down one test and that is a very sure test. It was to ascertain the period for which he had been holding the shares. That test, according to them, is a very sure yardstick. If the person has been holding the shares for a long time and has been tying his fortunes with the fortunes of the company, he cannot be called a corporate raider. But, if a person just entered only three or six months ago and wants to dictate the terms to the company and disrupts the management and takes over the company, then certainly he would have the characteristics of a corporate raider. I think, apart from the Gov-

[Shri Morarka]

ernment preventing such corporate raiders, there should be a provision in the company law itself where a duty must be cast upon the management also to the effect that whenever they come to know of any such activity the management must take all the shareholders into confidence.

Shri Naushir Bharucha: How are you to define 'corporate raiders'?

Shri Morarka: I am afraid the hon. Member is not listening to what I have been saying.

Shri Naushir Bharucha: You are casting an obligation on the management.

Shri Tangamani: The hon. Member has been developing the point about the kind of evaders. Is it not proper then, that the two words which have been added in this amending clause, namely, 'or otherwise", are absolutely necessary?

Shri Morarka: I hope to satisfy the hon. Member, before I sit down, about this amendment. I would request him to wait and if he waits for a few more minutes, I am sure to attempt to give him such satisfaction as I am capable of. I was saying that a duty should also be cast upon the company to inform the shareholders about the activities of the corporate raider. But how are the companies to know about it? I think there are certain means by which the companies can suspect...

Shri Naushir Bharucha: How will the hon. Member legally define a corporate raider?

Shri Morarka: I said that one has to distinguish between a genuine investor and a corporate raider. I went further and said that there is only one test laid down by the American authorities and that test is the length of time for which the person has been holding the shares. Anyway, let us leave that point there for the time being. I go further and say that a company has certain means of knowing or of smelling a situation where such a raid is likely on the company. What are those means? First, some abnormal activities in the shares of the company. Any company can know whether on the stock exchange the shares are being sold or bought in a normal way or in an abnormal manner. Secondly, whether the share transfers are being received as usual in the ordinary course or whether there is concentration of transfer in particular names. Thirdly, there is what is known as the financial community. If the company is alert, it can also listen to the rumours in the financial community. These rumours are often very helpful in knowing whether there is going to be any attack on a particular company. Finally, whenever there is a demand from a company for a list of shareholders or of any other document of that nature, the company may suspect that there is going to be either a proxy battle or a raid on the company. Therefore, under such circumstances, I think, the company must feel warned and take the shareholders into confidence and give them the information and alert them against such activities of the corporate raider.

I was saying something about professional blackmailers. These are the people who have no real interest in any company; they purchase one or two shares which in some of the companies, the share value being only Rs. 10 or even less, they acquire for nominal investment.

Shri Naushir Bharucha: We understand all these aspects. What is he trying for through his amendments? When is he coming to his amendments?

Mr. Deputy-Speaker: He is coming to his amendments.

Shri Morarka: Sir, I think it is your province, and Shri Naushir Bharucha is not the Speaker of the House. He should not make inroads into your domain. However, I was referring to the professional blackmailers and

when I was about to say something more, I cannot understand why my hon. friend wanted me to stop. I personally consider that it is a very important aspect, especially when we are legislating for these companies and when we are giving so much protection to the minority shareholders, whose cause Shri Naushir Bharucha champions so very validly and so approximately, I think I have a right to say something also on behalf of managements and also seek the protection of this House for their proper and good management.

These professional blackmailers are becoming increasingly a menace. These people have no interest but they procure one or two shares to attend a general body meeting or to receive balancesheets and then create trouble and bad blood among all the other shareholders. Sometimes these people are outsiders! sometimes they are ex-employees and disgruntled directors or some such other interested persons. The ultimate aim of these persons is this: to resell their shares at a high premium. I have known these things, and if anybody is interested I can give a number of instances where a person makes himself a nuisance—he has just a nuisance value—and then the company directors who do not want to fight, generailly call these people and say, "You sell your shares" and they pay even a higher price and purchase them.

My point is, while in section 250, we have made certain provisions regarding the corporate raiders, we have made no provision at all against the professional blackmailers, or, what I called the other day, the proxy pirates. Since my hon. friend Shri Naushir Bharucha is anxious to speak and he wants me to come to my amendments, I will bow down to his wishes and come to my amendments Nos. 89, 90 and 91. There three amendments have been moved by my hon. friend Shri Nathwani and he explained the purpose behind them. The only point that I wish to make is, section 250 is the operative section for sections 247, 248 and 249. Sections 247, 248 and 249 relate to the investigation about the ownership of shares. If the ownership of certain shares is not known, then, under section 250, the Government can impose certain restrictions. Unless one carries on some investigations under sections 247 to 249, how is one to know whether the ownership of a particular share is known or not? You must make some enquiries. Suppose you want to find out the facts about certain shares, unless you make some enquiries and call upon somebody to give the information, how are you to know whether it is *benami* transaction or he is the real owner or whether he is not the owner at all of those shares? I think that as soon as you find the real owner of the shares—when the ownership of the shares is known—whatever other consequences may follow, you cannot take action under section 250(1). In other words, you cannot deprive a shareholder of his propritory rights if the proprietor of the shares is not known. But once the proprietor is known you may deprive him of his rights of control and rights of management. You cannot, however, interfere with his proprietory rights, namely the right to receive dividends, the right to receive right shares and the right to receive a share in the assets of the company in case of liquidation, etc. Without there being a *prima facie* investigation, i.e. investigation under one of the three sections, how are you to know whether there is any real owner of the shares or not.

Mr. Deputy-Speaker: Will the hon. Member like to continue next day, or will he like to conclude now?

Shri Morarka: I shall continue on the next day.

Mr. Deputy-Speaker: He will continue on Monday. The House will now take up non-official business.

14.32 hrs.

COMMITTEE ON PRIVATE MEMBERS BILLS AND RESOLUTIONS

SEVENTY-SECOND REPORT

Shri Jhulan Sinha (Siwan): Sir, I beg to move:

"That this House agrees with the Seventy-second Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 23rd November, 1960."

Mr. Deputy-Speaker: The question is:

"That this House agrees with the Seventy-second Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 23rd November, 1960."

The motion was adopted.

Mr. Deputy-Speaker: Shri T. C. N. Menon—Absent. Shri Vittal Rao.

14.33 hrs.

INDUSTRIAL DISPUTES (AMENDMENT)* BILL

(Insertion of new Chapter VAA) by Shri T. B. Vittal Rao

Shri T. B. Vittal Rao (Khammam): Sir, I beg to move for leave to introduce a Bill further to amend the Industrial Disputes Act, 1947.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Industrial Disputes Act, 1947."

The motion was adopted.

Shri T. B. Vittal Rao: Sir, I introduce the Bill.

12.33½ hrs

EMPLOYEES' PROVIDENT FUNDS (AMENDMENT)* BILL

(Substitution of new Section for Section 6) by Shri T. B. Vittal Rao

Shri T. B. Vittal Rao (Khammam): Sir, I beg to move for leave to introduce a Bill further to amend the Employees' Provident Funds Act, 1952.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Employees' Provident Funds Act, 1952."

The motion was adopted.

Shri T. B. Vittal Rao: Sir, I introduce the Bill.

12.34 hrs.

CHARITABLE TRUSTS BILL*

By Shri Ram Krishan Gupta

Shri Ram Krishan Gupta (Mahendragarh): Sir, I beg to move for leave to introduce a Bill to provide for the better supervision and administration of charitable trusts.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the better supervision and administration of charitable trusts."

The motion was adopted.

Shri Ram Krishan Gupta: Sir, I introduce the Bill.

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*Published in the Gazette of India Extraordinary Part II—Section dated 25-11-1960.

12.34½ hrs.

BAN ON EXPORT OF CATTLE FEED BILL

By Shri Jhulan Sinha

Mr. Deputy-Speaker: Shri Ajit Singh Sarhadi: Absent. Shri Jhulan Sinha.

Shri T. B. Vittal Rao (Khammam): What happened to the first Bill?

Mr. Deputy-Speaker: The mover is not present.

Shri T. B. Vittal Rao: Generally we ask the Members whether they would be present and then we put their Bill on the Order Paper.

Mr. Deputy-Speaker: If in spite of our asking and his answering, he remains absent, what is to be done?

Shri T. B. Vittal Rao: Only those Members' Bills are put on the Order Paper who say they will be present in the House to move them.

Mr. Deputy-Speaker: I agree with the hon. Member. This hon. Member must have been asked whether he would be present and he might have answered also. But after answering, if he is absent, what could be done?

Shri Jhulan Sinha (Siwan): Sir, I beg to move:

> "That the Bill to provide for a ban on export of cattle feed in the country be taken into consideration."

As would appear from the Statement of Objects and Reasons this Bill is intended to pin-point the attention of the House to the deterioration of the cattle wealth of our country. The most anomalous position is that inspite of the paucity of cattle feed in the country, its export has not been banned and it is still being allowed to be exported with the result that the stock of cattle in this country is deteriorating, the *per capita* consumption of milk is going down and the health of the whole cattle stock is suffering from which it is very difficult to recover, if adequate steps are not taken in time.

I would in this connection read a few lines from the *Yojana*, now published under the auspices of the Planning Commission:

> "The livestock population of India is 30 crore, out of which cows and bullocks number 16 crore and buffaloes 5 crore. A cow supplies, on an average, 50 maunds of milk a year and a bullock helps to harvest an average of ten maunds of crops per year. According to this calculation, the income from a cow will be equal to the total income derived from 5 acres of land. Dr. F. Ware has estimated that "Indian cattle, inspite of the fact that they are uneconomically exploited, yield an annual income of over Rs. 1,265 crore, which is more than the value of India's cash crops. Dr. S. Dutta has estimated that the total contribution from animal labour put to agriculture and other operations in India equals Rs. 1500 crore."

It would thus apear that this is a matter of very great importance involving a sum of about Rs. 2,700 crores. According to the computation of the Planning Commission the annual deficit of cattle feed is about 258 per cent. In spite of this we have been exporting from year to year not only hundreds of thousands of tons of cattle feed and concentrates, which means our taking them away from the mouths of cattle which are already starved. I have been able to collect certain figures from the *Foreign Trade and Navigation of India*. This report shows that in 1953-54 we exported cattle feed to the tune of 6,883 tons valued at Rs. 10,36,785; in the following year, the export went up to 64,523 tons valued at Rs. 19,92,585; in the subsequent year, that is 1955-56, the export increased to 2,31,427 tons valued at Rs. 6,97,00,374. The figures for the next three years are equally revealing, which show that the export is mounting up year after year.

[Shri Jhulan Sinha].

For the three years I have quoted, the source is *Foreign Trae and Navigation of India*, 1955-56. The figures for 1957 to 1959 which I am now quoting are in answer to a question on the floor of this House.

Dr. M. S. Aney (Nagpur): What is their source?

Shri Jhulan Sinha: Their source is the official source. For 1957, the quantity of oil cakes, meal and vegetable residues allowed to be exported from this country was to the tune of 77,000 tons valued at Rs. 217 lakhs. For 1958, the export went up further to 2,36,000 tons valued at Rs. 745 lakhs. The latest figures available with me are for the 11 months January to November, 1959; during this period, the export was 447,000 tons valued at Rs. 1652 lakhs. This is in respect of oil cakes, meal and other vegetable residues. There are other cattle feed also which are allowed to be exported. They are as follows, according to an answer given on the floor of this House. In 1957, 6787 tons valued at Rs. 13 lakhs; in 1958, 9118 tons valued at Rs. 14 lakhs; during January to November, 1959, 21,773 tons valued at Rs. 43 lakhs. This is the appalling figure of export of cattle feed allowed every year from this country, when our own cattle, including bovine species, which are estimated to be 16 croress in value as I have just cited. This cent deficit in the cattle feed alone, apart from fodder and other things which we are not discussing today.

In cattle feed like oil cakes, *guar* and other concertrates the deficit is 28 per cent and still we are exporting not only hundreds and thousands of tons, to the tune of rupees seven crores in value as I have just cited. This is the position, which it is very difficult for me to understand, comprehend and appreciate. The cattle stock of our country is yielding such an enormous income every year not only by giving milk and other things which are benefiting the public health in this country, but by also helping in carrying on agriculture and as draught cattle. But this community is ignored and ill-fed in the way I have just cited This is a position which this House and this country can never appreciate.

This is not the only thing to which I intend to draw the attention of the House. The other aspect of it is that production of milk and milk products in this country is going down in such an alarming way that the attention of the House has got to be drawn to it. I am quoting some figures from *Marketing of Milk Report*, 1941 and *Indian Livestock Statistics*, 1956. The import of milk and milk products in 1939-40 was 7826 tons of milk, 187 tons of butter, 2699 tons of ghee and 482 tons of cheese, valued at Rs. 80.85 lakhs. The latest figures available with me are for 1955-56. They are: 45,381 tons of milk were imported in 1955-56. The import of butter had risen from 187 tons to 639 tons. The import of ghee has not risen, but gone down by 400 tons; it was 2699 tons in 1939-40 and 2229 tons in 1955-56. The import of cheese rose from 482 tons in 1939-40 to 672 tons in 1955-56. The total value of imports for the latter year is Rs. 1119·87 lakhs as against Rs. 80·85 lakhs in 1939-40.

On the one side we are exporting cattle feed, which is the mainsty for the cattle in this country and on the other side we are importing milk and milk products. The production of milk in this country is going down and so *per capita* consumption. We have to import such huge quantity of milk and milk products. This is quite anomalous position. It is a thing to which our attention should be specially given and the position remedied.

Some other things also have to be taken into consideration in this regard. I am quoting from the Planning Commission's report:

> "The Planning Commission has estimated that the quantity of fodder available is about 78 per cent of the requirements, while the available concentrates and feed would suffice only for 28 per cent of the cattle."

So, I am sorry; I said 28 per cent was the deficit, which is wrong. Only 28 per cent is available in this country. Still, in spite of this alarmingly low position of cattle feed in this country, we are exporting it. Only 28 per cent of the total requirements of cattle feed is available in the country, according to the Planning Commission itself; it is not my figure. That means 72 per cent is still lacking and that is why our cattle are detariorating every day in quality and quantity also. These are certain basic facts of the situation which have to be taken note of.

Then, there is an article called *guar*, which does not grow in any part of the country, but which grows in large quantities in Rajasthan, Punjab and certain parts of U.P. The value of this article is estimated to be to the extent Rs. 50 lakhs per year. That is the main cattle feed in the part I have just mentioned. The export of *guar* was banned in February, 1957. But certain considerations weighed with the Government—we do not know what those considerations were—and the ban was lifted in December 1957. Only ten months before the ban was imposed on the ground that it is a very valuable cattle feed and so, it should not be exported. After some months the ban was lifted, possibly on the ground that it will earn us some dollars from America. But the export of *guar* is going to give us foreign exchange only to the extent of about Rs. 50 lakhs per year. The earning of that much dollar is not so beneficial when compared to the deterioration of the cattle wealth of the country because of the widespread definciency in cattle feed, which in its turn means, deficiency in cultivation and in respect of traction power.

I have been able to come across certain reports saying that *guar* is allowed to be exported only after extraction of something and *chuni* and *bhusa* are left behind as cattle feed. But that argument is not very convincing. Leaving out *chuni* and *bhusa* and exporting the rest to a foreign country is not good.

Because of the deteriorating cattle wealth of this country our milk supply is also dwindling. Heavy exports of cattle feed and heavy import of milk and milk products into the country is not a position to which we can reconcile ourselves. I have, therefore, taken this oportunity to bring this position to the notice of the House to request the House to consider this Bill in this light and impress upon the Government the desirability and the urgent necessity of putting a ban on the export of cattle feed from this country so that the cattle wealth of this country may grow richer and richer and result in the growth and development of agriculture.

With these words, I commend the Bill to the acceptance by the House.

Mr. Deputy-Speaker: Motion moved:

"That the Bill to provide for a ban on export of cattle feed in the country be taken into consideration."

पंडित व्रज नारायण व्रजेश (शिवपुरी) : कृष्णं बन्दे जगद्गुरुम् । उपाध्यक्ष महोदय, जो बिल सदन के सामने प्रस्तुत हुआ है वह देखने में तो बहुत साधारण मालूम पड़ता है परन्तु उस का अपना महत्व है और महत्व इसलिये है कि आज सारे संसार में मानव समाज को बचाने का नारा बुलन्द हुआ है । परन्तु मानव केवल मानव की रक्षा करे और बाकी जितने भी पशु पक्षी हैं, उन को उदरस्थ कर जाये, यह कोई मानवता का लक्षण नहीं है । तो मैं समझता हूं कि जिस प्रकार हमारे लिये खाद्य सामग्री की आवश्यकता है उसी प्रकार पशुओं के लिये भी खाद्य सामग्री की आवश्यकता है । पशुओं का जीवन मनुष्य पर निर्भर करता है और मनुष्य का जीवन भी पशुओं पर निर्भर करता है । तब यदि हम पशुओं को पर्याप्त मात्रा में खाद्य सामग्री नहीं देंगे तो

[पंडित ब्रज नारायण ब्रजेश]

उन का जीवित रहना कठिन दिखता है । विशेषकर भारतवर्ष में, जोकि एक कृषि प्रधान देश है, यदि उस कृषि प्रधान देश में पशुओं की खाद्य सामग्री यहां न रख कर बाहर को निर्यात कर दी जायेगी, तो वे जीवित कैसे रहेंगे ? जहां तक गाय की रक्षा का प्रश्न है, जब भी उस की रक्षा की बात आती है तो लोगों के सामने एक सब से बड़ी समस्या यह खड़ी हो जाती है कि जिन के पास दूध देने वाली गाय नहीं रहती, दूध देने वाली भैंस नहीं रहती, और जिन में सन्तान उत्पन्न करने की भी सामर्थ्य नहीं रहती, तो फिर उस को घर में कैसे बांधे रहें । उसे चारा पूरा मिलता नहीं, जो मिलता है वह भी महंगा मिलता है क्योंकि हमारे पास जो चारा है हम उस को बाहर भेज देते हैं, तो सिवा उस के कटवाने के और क्या चारा है । हमारा पशुधन भूखा मरे तो फिर इस की अपेक्षा कटवा देना ज्यादा अच्छा है क्योंकि उस से पैसा भी अधिक मिलता है और तड़प तड़प कर मरने के बजाय वह इस तरह से जल्दी मर भी जाता है । इस प्रकार हमारा पशुधन शनैः शनैः क्षीण होता जा रहा है । अगर भारतवर्ष में इस प्रकार से पशुधन का अभाव हो गया तो खाली मशीनों के बल पर हम अपने कृषि कार्य को नहीं चला सकेंगे ।

यह जो बिल रखा गया है उस के अन्दर नाम तो ग्वार रक्खा गया है, मगर वह अपभ्रंश हो गया है । उस का शुद्ध शब्द ढूंढेंगे तो वह है गो आहार अर्थात् गाय का आहार । हम ने गो आहार को ग्वार कर दिया और उस ने हम को इतना गंवार बना दिया कि हम उसे बाहर भेजने लगे हैं बजाय गाय के खिलाने के । इसलिय चाहे खली हो, ग्वार, हो, या दूसरे प्रकार के आहार हों, जिन से पशुओं की पूर्ण संतुष्टि हो सकती है, जिन को खाने के बाद व बलशाली बन सकते हैं, उस आहार को बाहर भेजने के पहले हमें सोचना चाहिये कि कौन सा मार्ग दूरदर्शितापूर्ण है । जो लोग इस प्रकार से गाय के आहार को बाहर भेज कर उन को दुखी करते हैं, उन के दुःख को हमें दूर करना चाहिये । उन का खाना बाहर भेजना बन्द होना ही चाहिये । साथ ही पशुधन के लिये कौन कौन से आहार आवश्यक हैं इस ओर भी हमें खास तौर से देखना चाहिये और उन की पूर्ति का प्रयत्न करना चाहिये । उन की पूर्ति हो जाने के बाद यदि किसी चीज को बाहर भेजने से लाभ होता है तो उस को बाहर भजने में हानि नहीं है । हमें यहां पर यह संकल्प ले कर नहीं बैठना चाहिये कि कोई वस्तु हमारे काम आये या न आये, हम उसे बाहर नहीं भेजेंगे । उसे घर पर सड़ाने से कोई लाभ नहीं होगा । लेकिन यदि कोई चीज हमारे लिये आवश्यक है तो उस की चिन्ता न कर के उसे बाहर भेज कर केवल द्रव्य अर्जन करने में लगे रहें, मूल में तो पत्थर मारें और ऊपर के पत्तों को सींचते रहें, तो पत्तों पर पानी डालने से कोई लाभ नहीं होगा । यदि जड़ ही सूख गई तो फिर पत्तों पर पानी डालने से क्या होगा ? इसलिये पशुओं की खाद्य सामग्री हमारे यहां पर्याप्त रहनी चाहिये । जिस प्रकार से हमारे शासन का ध्यान मनुष्यों के खिलाने के सम्बन्ध में गया है उसी प्रकार से पशुओं के खिलाने के सम्बन्ध में भी जाना चाहिये । यही इस बिल से ध्वनित होता है, इस से इस सवाल पर प्रकाश पड़ता है । शासन को विशेष रूप से ध्यान देना चाहिये कि हमारे पास कितना पशुधन रह गया है और उस पशुधन को खिलाने के लिये हमारे पास यथेष्ट मात्रा में खाद्य सामग्री है या नहीं । यदि नहीं है, तो कोई ऐसी सामग्री तो नहीं है जिसे बाहर भेज देने से पशुधन भूखा मरता हो ।

अभी अकाल पड़ गया राजस्थान में और अगर लाखों नहीं तो हजारों की संख्या में राजस्थान का पशुधन मध्य प्रदेश में मारा मारा फिरता था । उनमें से बहुत से भूखे और

प्यासे रास्ते में मर जाते थे। यदि वहां मरने से छूट जाते हैं तो फिर दूसरों के जरिये वे मारे जाते हैं। जब इस तरह के केसेज होते हैं तो उनके लिये हम आहार पहुंचा सकें, इस तरह की व्यवस्था शासन की ओर से होनी चाहिये ताकि जिन्होंने पशुपालन का काम अपने हाथ में लिया है उनके लिये पशुओं के पालन करने में, उनको खिलाने में, कठिनाई न रहे। जिस प्रकार अधिक सन्तान उत्पन्न करने वालों के संबंध में सरकार ने कहा कि कम बच्चे पैदा करो क्योंकि हम खिला नहीं सकते उसी प्रकार चूंकि हम पशुओं को खिला नहीं सकते इस लिये उनको मारना शुरू करें, यह उचित नहीं होगा। आदमियों को तो हम मार नहीं सकते इसलिये नहीं मार रहे हैं...

श्री ब्रजराज सिंह (फिरोजाबाद) : मारते हैं, उन पर गोली चलाते हैं।

पंडित ब्रज नारायण ब्रजेश : वह बात अलग है। उनको इसलिये नहीं मारा जाता कि घर के मेम्बरों की संख्या ज्यादा है। इसलिये जिस तरह से हम मनुष्यों के लिये कहते हैं कि सन्तान इससे ज्यादा न करो, कम से कम पशुओं के संबंध में यह स्थिति देश में न आये। कि चारे की कमी के कारण हमें उनको कटवाना पड़े। हम चारे की कमी के कारण पशुओं को कटवाते जाते हैं और साथ में चारे का निर्यात बाहर के देशों को करते जाते हैं, तो विदेशी लोग यहां भले ही कहने न आते हों, लेकिन हम साधारण मनोविज्ञान के आधार पर, ह्यूमन साईकालोजी के आधार पर, समझ सकते हैं कि वे हमारा उपहास करते होंगे कि हम अहिंसा का तो नारा लगाते हैं लेकिन पशुओं को अपने पास से मार मार कर उनके पास और भेजते क्यों हैं ? भेजते हैं अपनी अदूरदर्शिता के कारण। इसलिये पशुओं का जो आहार है उसे बाहर नहीं भेजना चाहिये। हम यह मान लेते हैं कि हमें बाध्य होकर पशुधन को मारना पड़ता है, लेकिन यदि हमारा पशुधन ही नष्ट हो जायेगा तो कैसे काम चलेगा। यह विचारणीय बात है। इस तरह से हमारी स्थिति भी हास्यास्पद बनती है और हमारे पशुधन का भी नाश होता है। एतदर्थ अपनी आर्थिक स्थिति को सुदृढ़ बनाने और पशुधन को स्वस्थ बनाने के लिये हमको पशुओं के आहार की रक्षा करनी चाहिये क्योंकि खाली सूखी घास के साथ भी खली और गोआर जैसी चीजें देकर भी पशुओं को रक्खें तो इससे यथेष्ट मात्रा में दूध निकलेगा इससे ऐग्रिकल्चरिस्ट का भी भला होगा और पशुओं के लिये भी लाभकारी होगा। यदि हम गायों और भैंसों को बिनौला खिलाते हैं, खली खिलाते हैं और उसके पश्चात् गाय के नीचे बैठते हैं तो उसे लगाते ही मक्खन आना प्रारम्भ हो जाता है। यदि पौष्टिक दूध खाने को मिलेगा तब तो उससे लाभ पहुंच सकता है, नहीं तो नाम मात्र के दूध नामी श्वेत पदार्थ से क्या लाभ हो सकता है, ऐसा पदार्थ तो और चीजों से भी बनाया जा सकता है। इसलिये गायों और बैलों को स्वस्थ रखने के लिये पौष्टिक आहार की आवश्यकता है, और पशुओं के पुष्ट होने से मनुष्यों का स्वास्थ्य भी अच्छा रहेगा। इस दृष्टि से यह बिल बहुत महत्वपूर्ण है और गवर्नमेंट जो सदा अहिंसा का नारा लगाती है इस बात पर ध्यान देगी कि पशुओं का आहार बाहर न भेजा जाये। ऐसा करने से पशुओं का स्वास्थ्य सुधरेगा और देश को आर्थिक लाभ भी होगा और हमारे अहिंसा के सिद्धांत की भी पुष्टि होगी। तो मैं समझता हूं कि इस बिल पर सरकार को विचार करना होगा और उसकी भावना का आदर करना होगा और जो प्राइवेट मेम्बरों के बिलों की स्थिति बनती है वह स्थिति इस बिल की नहीं बनेगी। और इस पर गम्भीरतापूर्वक विचार करके शासन इस दिशा में आवश्यक कदम उठायेगा यह इस समय मैं शासन से प्रार्थना करूंगा।

15 hrs.

श्री ब्रजराज सिंह : उपाध्यक्ष महोदय इस विधेयक की आत्मा का मैं स्वागत करता

[श्री ब्रजराज सिंह]

हूं । मैं आशा नहीं करता कि सरकार इसे स्वीकार करेगी, लेकिन इस अवसर पर मैं एक बात कहना चाहता हूं ।

सरकार ने अपनी निर्यात और आयात नीति को इस तरह गलत तरीके से चला रखा है कि हमारे देश से कच्ची चीजें, जिनसे हम और चीजें बनाकर धन पैदा कर सकते हैं, तो अक्सर बाहर भेज दी जाती हैं, और तैयार शुदा चीजें अक्सर हम बाहर से मंगाते हैं । ग्वार और खली भी ऐसी कच्ची चीजें हैं जिन पर यह सिद्धांत लागू किया जा सकता है । इसी तरह से खनिज पदार्थों का भी हाल है । आप देखेंगे कि हम कच्चा लोहा और दूसरी धातुएं जो हमारे देश में मिलती हैं, उनको स्वयं साफ न करके और उनसे दूसरी चीजें न बनाकर, उनको बहुत बड़ी तादाद में बाहर भेज रहे हैं, और बहाना यह करते हैं कि हमारे देश को विदेशी मुद्रा की आवश्यकता है इसलिये ऐसा करना जरूरी है । मैं इस बात से इकार नहीं करता कि किसी भी विकासशील अर्थ व्यवस्था वाले देश को अपनी शुरू की सालों में विदेशी मुद्रा की अपने विकास के लिये आवश्यकता होती है, और हमें भी आवश्यकता है । लेकिन इस बात के होते हुये भी हमें ऐसी बात सोचना चाहिये जिससे हमारी आयात निर्यात नीति इस तरह से निर्धारित हो सके और हमारे देश से कम से कम कच्चा माल बाहर जाये और वही कच्चा माल बाहर जाये जिसकी हमारे यहां बहुत बहुतायत हो ।

अब आप खनिज पदार्थों को लें । हमारे यहां खनिज पदार्थों का अपार भंडार तो है नहीं । और जहां तक खेत की पैदावार का सम्बन्ध है हमें यह देखना चाहिए कि हम खेत की पैदावार उसी समय बाहर भेजें जब कि हम यह देख लें कि हम उस में उस सीमा पर पहुंच गए हैं कि जब हम ऐसा कर सकते हैं । अगर हम ऐसा नहीं सोचेंगे तो हमारे देश की अर्थ व्यवस्था पर बुरा असर पड़ेगा । हम देखते हैं कि हमारे देश में सरकार द्वारा पशुधन पर जितना चाहिए उतना ध्यान नहीं दिया जाता । आदमियों के बारे में तो सरकार यह समझती है कि अगर उन्हें नहीं खिलाया जाएगा तो क्रान्ति हो सकती है, विप्लव हो सकता है, इसलिए उन के लिए तो करोड़ों और अरबों रुपए का अनाज बाहर से मंगाया जाता है । लेकिन मेरी समझ में नहीं आता कि जब हम खाद्यान्न के मामले में आत्म निर्भर नहीं हैं तो सरकार कैसे यह सोच लेती है कि वह पशुओं का खाद्य जैसे ग्वार या खली आदि बाहर भेज सकती है । मैं उन आंकड़ों में नहीं जाना चाहता जो मेरे मित्र श्री झूलन सिंह ने सदन के सामने रखे हैं, लेकिन यह मोटी बात है कि जब हम गल्ले के मामले में आत्मनिर्भर नहीं हैं तो हम पशु खाद्य के बारे में कैसे आत्म निर्भर हो सकते हैं । आज यह देश की आवश्यकता है कि देश में पशुधन का विकास हो । और यह तभी हो सकता है जब उनको पौष्टिक चीजें खाने को दी जाएं । लेकिन जब हम इन पौष्टिक पदार्थों को विदेशों को भेज देंगे तो हम अपने पशुधन का विकास कैसे कर सकेंगे । और यही कारण है कि आज जहां दूसरे देशों में गाएं काफी दूध देती हैं, यहां हमारे यहां गाय सेर भर दूध देंगी, और कभी कभी तो आधा सेर ही देंगी और जो बहुत ही अच्छी गाय होगी वह दस सेर तक दूध देगी । हम नहीं समझते कि जब पशु को अच्छा खाद्य नहीं मिलेगा तो वह कैसे अधिक दूध देगा और किस तरह खेती में अच्छी तरह काम करेगा । हमारे पशुओं के कमजोर होने का यह नतीजा होगा कि हमारी आने वाली सन्तान कमजोर होती चली जाएगी । तो इन सब बातों को देखते हुए मैं एक उसूल की बात कहना चाहूंगा इस अवसर पर और वह यह

कि सरकार को अपनी आयात निर्यात नीति पर पुनर्विचार करना चाहिए । उनको उन चीजों को देश से बाहर नहीं भेजना चाहिए जो देश को बलशाली बनाने में सहायक हो सकती हैं, चाहे वह आदिमयों का प्रश्न हो या पशुओं का प्रश्न हो । मैं चाहूंगा कि इस प्रकार की चीजों के निर्यात पर सरकार को प्रतिबन्ध लगाना चाहिए ।

इस देश में खेती के लिए हड्डी की खाद की शक्ल में बहुत जरूरत है, । लेकिन हम देखते हैं कि हड्डी को बाहर भेजा जाता है और हम बाहर से खाद का आयात करते हैं । नतीजा यह होता है कि खेती को पौष्टिक खाद नहीं मिल पाता और देश में खाद्यान्न की कमी हो जाती है । इसलिए मेरा अनुरोध है कि सरकार को इस प्रश्न पर सोचना चाहिए कि हमको ऐसी कच्ची चीजों को जिन से हम दूसरी चीजें बना कर देश का धन बढ़ा सकते हैं और यहां के लोगों को काम दे सकते हैं, या उन चीजों को जिनसे हमारे देश के आदिमियों को या पशुओं को बल मिलता है, देश से बाहर नहीं भेजना चाहिए । हमें उनके निर्यात पर प्रतिबन्ध लगा देना चाहिए । और इस प्रतिबन्ध को तब तक लागू रखना चाहिए जब तक कि हम उन चीजों में स्वयं पूरी तरह आत्म निर्भर हो जाएं और बाहर भेजने लायक पैदा कर सकें । अभी जब कि हम स्वयं इन चीजों के मामले में आत्म निर्भर नहीं हैं, तब मेरी समझ में नहीं आता कि सरकार इन चीजों के निर्यात पर प्रतिबन्ध क्यों नहीं लगाती । मैं तो समझता हूं कि सरकार इस विषय में कोई विचार ही नहीं करती और न उनका कोई सिद्धान्त है । जो चीज जैसी चली आ रही है वह उसी तरह चल रही है । और जहां तक पशुओं के खाद्य को बाहर भेजने का सवाल है उसके बारे में कोई कहने वाला नहीं है, पशु तो बेचारे कुछ कह ही नहीं सकते, और जो गांवों के लोग उनको पालते हैं वे गरीब हैं, वे अपनी आवाज को अखबारों आदि के द्वारा बुलन्द नहीं कर सकते । और इसलिए शायद सरकार इस प्रश्न पर विचार ही नहीं करती । इसलिए मैं इस संदर्भ में इस विधेयक का स्वागत करता हूं।

मैं इस बात पर विशेष जोर देना चाहता हूं कि सरकार अपनी आयात निर्यात नीति पर पुनः विचार करे । कहा जाता है कि अगर हमको विदेशी मुद्रा नहीं मिलेगी तो हम बाहर से भारी मशीनों का आयात कैसे कर सकेंगे जिनसे हम दूसरी छोटी मशीनें बना सकें और देश की अर्थ-व्यवस्था को विकसित कर सकें ।

15.08 hrs.

[SHRI JAGANATHA RAO *in the Chair*]

इस बात को मानते हुए भी मैं कहना चाहूंगा कि हमको इस प्रश्न पर फिर से विचार करना चाहिए । आपने देश के विकास के लिए अभी तक विदेशों से ५३ अरब रुपया कर्ज लिया है और अगली पंच-वर्षीय योजना के लिये फिर आप ४८ अरब का कर्जा लेने जा रहे हैं । और खली और ग्वार के निर्यात से आपको मुश्किल से एक, दो या पांच करोड़ की विदेशी मुद्रा मिल सकेगी । इसलिए मैं कहना चाहूंगा कि जहां एक लादी वहां सवा लादी यह सोच कर आप इस के निर्यात पर प्रतिबन्ध लगा दें क्योंकि ऐसा करने से कोई बड़ा फर्क पड़ने वाला नहीं है, पर इस से देश का बड़ा लाभ हो सकता है, । इसलिए मैं निवेदन करूंगा इस संदर्भ में कि सरकार अपनी आयात निर्यात नीति पर पुनर्विचार करे और उन सब चीजों के निर्यात पर जिन से दूसरी चीजें बना कर हम अपनी अर्थ व्यवस्था को दृढ़ कर सकते हैं और जिनके द्वारा हम अपने यहां के आदमियों को और पशुधन को बलशाली बना सकते हैं, उन के निर्यात पर रोक

[श्री ब्रजराज सिंह]

लगा देनी चाहिए । अगर सरकार इस विधेयक के इस सदन् में प्रस्तुत किये जाने के बाद इसी निश्चय पर पहुंच जाय और उस की निर्यात नीति में कुछ आमूल चूल परिवर्तन हो जाये और कच्चे माल के बाहर निर्यात किये जाने पर वह कुछ रोक लगाये तो मैं समझता हूं कि इस प्रस्ताव का उद्देश्य सफल हो जायेगा ।

चौ० रणबीर सिंह (रोहतक): सभापति महोदय, जहां तक इस विधेयक के उद्देश्य का सम्बन्ध है मैं समझता हूं कि हर एक सदस्य उस के साथ सहमत होगा क्योंकि इस देश का पशुधन आज बहुत कमजोर है उसे हमें तगड़ा, मजबूत और शक्तिशाली बनाना है और उस के लिये जरूरी है कि पशुओं को अच्छी और पौष्टिक खुराक दी जाये । इसलिए जहां तक इस प्रस्ताव के ध्येय का वास्ता है उस से हर एक सदस्य सहमत होगा । जहां तक खली, ग्वार आदि के एक्सपोर्ट पर बैन लगाने का वास्ता है मैं समझता हूं कि उस में भी कोई बहुत ज्यादा आपत्ति की बात नहीं है । लेकिन यह विधेयक ऐसा है जो कि काफी हद तक खींचा जा सकता है और जिसका कि कोई अंदाज नहीं है क्योंकि जहां तक पशुओं को पौष्टिक खुराक का ताल्लुक है तो उस में यह सारे आयलसीड्स तिलहन वगैरह आ सकते हैं । अब तिलहन का एक्सपोर्ट यदि आज के हालत में बैन होता है तो देश के आर्थिक हिसाब को धक्का लगेगा ।

श्री सूरज सिंह : माननीय सदस्य ने शायद जो मैंने परिभाषा कर दी है उसको पढ़ा नहीं है । उसके अन्दर आयल सीड्स नहीं आते हैं अलबत्ता आयलकेक्स एंड अदर कंसंट्रेटस आते हैं ।

चौधरी रणबीर सिंह : उसको मैंने देखा है । यह तो ठीक है कि आपने उसको इस तौर पर डिफाइन किया है लेकिन सदन् में एक मर्तबा विधेयक आने के बाद न तो फिर उन के वश की बात रह जाती है और कोई पता नहीं कि परिभाषा क्या की जाये, उसको कहां तक खींचा जाये और वह परिभाषा किस के हाथ में पहुंच जाये और ऐसी हालत में जो आज उनकी मंशा है वह कहां तक बरकरार रह सकेगी यह मुझे मालूम नहीं है । इसीलिए मैं ने शुरू में कहा है कि पशुओं के पौष्टिक पदार्थों के आयात पर जो यह रोक लगाई जाने का प्रस्ताव किया जा रहा है तो इसके अन्तर्गत क्या क्या चीजें आजायेंगी और जैसे मैंने कहा कि आयलसीड्स और तिलहन आदि पर अगर प्रतिबन्ध लगाया जायेगा तो उस में आपत्ति हो सकती है क्योंकि उसका असर हमारी आर्थिक स्थिति पर प्रतिकूल पड़ने वाला है ।

यह बात बिल्कुल सही है कि हमारे देश के पशुओं की हालत निहायत शोचनीय है । आप जानते हैं कि जहां तक हमारे देश का ताल्लुक है ७५ फी सदी किसान इस देश में बसते हैं और जिनका कि जीवन खेतीबाड़ी पर निर्भर करता है और खेती आज के हालत में देश के पशुधन पर निर्भर करती है । पशुधन की तरक्की एक तरह से मैं मानता हूं कि देश के ७५ फी सदी आदमियों की तरक्की करनी है । यह एक अजीब हालत है और देश की बदकिस्मती है कि बावजूद इस बात के कि हम गऊ सेवक होने का दम भरते हैं और उस सम्बन्ध में गौसेवक समाज और अन्य संस्थाएं बनाते हैं लेकिन हम देखते हैं कि हमारे देश की गाय, भैंसें आदि दूसरे देशों के मुकाबले में बहुत कमजोर पड़ती हैं । अमरीका आदि अन्य देशों में जहां कि लोग गाय या पशुपूजा का नाम तक नहीं लेते हैं उनकी गाय, भैंसों आदि दूध देने वाले पशुओं की नस्ल हमारे मुकाबले बहुत अच्छी है । अपने

देश के पशुधन का विकास करने के लिये और उनको तगड़ा बनाने के लिए और कई बातों की जरूरत है वहां यह भी जरूरत है कि उनको पौष्टिक खुराक अधिक से अधिक दी जाये। इस नाते मैं श्री झलन सिंह का मशकूर हूं कि उन्होंने सदन का ध्यान इस समस्या की ओर आकर्षित किया कि आज के हालत में पशुधन की तरक्की के लिए उनको अच्छी खुराक देना कितना जरूरी है। पशुओं की अच्छी खुराक क्या है, किस किस इलाके में कौन कौन सी खुराक है जिसको कि पशुओं के वास्ते अच्छी खुराक में तबदील किया जा सकता है यह काश्तकारों और पशु-पालने वालों को बतलाना निहायत जरूरी है। आज जितनी आवश्यकता हमारे देश में ओ मोर फूड की है उतनी ही बल्कि उस से भी बढ़ चढ़ कर जरूरत इस बात की है कि हम देहातों के अन्दर यह बतलायें कि पशुपालन करने वालों के पास कौन कौन सी चीजें ऐसी हैं जिनको कि यदि वे अच्छे ढंग से अपने पशुओं को खिलायें तो उन के मवेशी, स्वस्थ और ज्यादा दूध देने वाले बन सकते हैं। मेरी समझ में एक्सपोर्ट पर बैन लगाने से यह चीज ज्यादा महत्वपूर्ण है वैसे मुझे कोई ऐतराज नहीं है अगर खली और ग्वार के एक्सपोर्ट पर पाबन्दी लगा दी जाय। लेकिन जैसे मैंने बतलाया आयल सीड्स और चना भी पौष्टिक खराक के तहत आ सकते हैं और उन के एक्सपोर्ट पर यदि पाबन्दी लगती है तो उसका असर देश और समाज की अर्थ-व्यवस्था पर प्रतिकूल पड़ने वाला है और खास तौर से हमारे दक्षिण के भाई जो कि आयलसीड्स की खेती करते हैं उनको इस से धक्का पहुंचने वाला है क्योंकि जहां इसका भाव आज ३४ रुपये मन है वहां वह १० या १२ रुपये मन पर भी नहीं बिक सकेगी। इसलिए पाबन्दी लगाने के ढंग से सोचना मैं समझता हूं कि शायद कुछ ठीक न होगा और मैं नहीं समझता कि सरकार यह विधेयक मंजूर भी कर सकेगी या उसे मंजूर करना भी चाहिए लेकिन जहां तक पशुओं को अच्छी खुराक देने का सवाल है उस में कोई दो मत नहीं हो सकते और आज उसकी बहुत आवश्यकता है।

सभापति महोदय, अगर आप कलकत्ता या बम्बई जायें तो आप देखेंगे कि हमारे मवेशियों की वहां पर कैसी दुर्दशा की जाती है। हरियाने का पशुधन हमारे देश में सब से अच्छा माना जाता है चाहे वह गाय हो अथवा भैंस सिवाय एक सिंधी काऊ के। हरियाने की गाय भैंस देश के दूसरे भागों की गायों और भैंसों के मुकाबले में अधिक दूध देती हैं और मजबूत होती हैं। बदकिस्मती की बात यह है कि हमारे जो डंगर वहां कलकत्ते और बम्बई जाते हैं तो उनको एक ही व्यांत के बाद बूचड़खाने में पहुचा दिया जाता है क्योंकि आदमी यह खयाल करता है कि उसको बूचड़खाने भेज कर कटवाना ज्याद ल भप्रद होगा बनिस्बत इस के कि उसको दूसरी व्यांत तक पाला जाये।

आज यह बड़ी चिन्ता का विषय है कि हमारे देश में पशु धन का ह्रास निरंतर होता जा रहा है और जहां अन्य आवश्यक व्यवस्थाएं करनी चाहिएं वहां पशु धन की उन्नति के लिए उत्तम खुराक का प्रबन्ध भी आवश्यक है। आदमी गाय आदि दूध देने वाले जानवर इस लिए पालते हैं कि उन से उनको एकोनामिक रिटर्न मिल सके। ऐसा दो तीन तरीकों से हो सकता है। इस के लिए जगह जगह पर ड्राई मिल्क प्लांट्स लगाये जायें। हमारे कृषि मंत्रालय ने जब पंजाब में यह सवाल उठा तो उन्होंने पंजाब के अन्दर अमृतसर में ड्राई मिल्क प्लांट को लगाया। अब अगर कलकत्ते में आप अमृतसर के नाम से पशु बेचन चाहें तो उसकी कोई कीमत नहीं हो सकती। उसकी

[चौधरी रणवीर सिंह]

कीमत जभी उठ सकती है जब यह बतनाया जाये कि यह गाय अथवा भैंस रोहतक या हिसार की है और उस हालत में उसकी कीमत १००, २०० रुपये ज्यादा उठ सकती है । अब वहां दूध और क्रीम निकालने का अगर कोई प्लांट लगाया भी जाता है तो वह दूसरी तरफ लगाते हैं । मंत्री महोदय अपने जवाब में कह सकते हैं कि हम ने दिल्ली में मिल्क सप्लाई स्कीम लागू की है लेकिन मैं जानता हूं कि वह कितने दूध का इंतजाम कर सकी है । हमारे इलाके में सब कोई जानते हैं कि कितना अच्छा पशुधन है । अकेले दिल्ली स्टेट के अन्दर जो दो, चार सौ गांव हैं सरकार इस स्कीम के मातहत उनका भी तमाम दूध नहीं ले पा रही है । लेकिन ऐसा कहने से मेरी यह मंशा नहीं है कि गांव वालों के पास दूध छोड़ा ही न जाये । दूध से क्रीम निकालने की मशीन २००, ३०० या ४०० रुपये में आती थी लेकिन आज उस के ऊपर बाहर से मंगाने पर पाबन्दी है और न ही उस मशीनरी को अपने देश में बनाने के लिए आवश्यक प्रोत्साहन दिया जाता है और उस से भी हमें पशुओं को अच्छी खुराक देने में काफी मदद मिल सकती है । दूसरे देशों में तो चूंकि दूध से क्रीम निकाल ली जाती है इसलिये वे बछड़ों को खूब दूध पिलाते हैं जब कि हमारे वहां पर हालत बिल्कुल दूसरी है और गाय से बछड़े को ज्यादा से ज्यादा दूर रखने की कोशिश होती है ।

विदेशों में दूध से क्रीम निकालते हैं और जो सैप्रेटा बच रहता है उसको बछड़े को खूब पिलाया जाता है और जाहिर है कि वे खूब मजबूत होंगे । मैं चाहता हूं कि हमारे देश में भी ऐसा हो और वह तभी हो सकता है जब कि देहातों में क्रीम निकालने की छोटी छोटी मशीनें लगी हों और जैसे कि एक इंसान के बच्चे के लिए मां के दूध से अच्छी और पौष्टिक दूसरी कोई वस्तु नहीं है उसी तरह गाय या भैंसे के बछड़े के वास्ते गाय या भैंस का दूध है ।

जहां तक खली वगैरह का ताल्लुक है, मैं समझता हूं कि उनकी बहुत अहम जगह है ।

मैं माननीय सदस्य का फिर शुक्रिया अदा करता हूं कि इस विधेयक के जरिये उन्होंने इस देश के पशुओं की बरी हालत की तरफ ध्यान दिलाया है । मैं समझता हूं कि इस विधेयक को तो शायद सरकार मन्जूर न कर सकेगी, लेकिन मैं उम्मीद करता हूं कि वह इस तरफ तेजी से कदम उठायेगी कि इस देश के पशु ज्यादा से ज्यादा मज़बूत और ज्यादा से ज्यादा दूध देने वाले हों ।

Shri Oza (Zalawad): While I am in complete sympathy with the sentiments of the Mover of this Bill, I am afraid it will be my painful duty to oppose it.

I entirely agree that next to agriculture, animal husbandry is the most industry in this country, and with that is connected the improvement of the lot of people residing in the rural areas. So long as animal husbandry is not improved to the extent that it can support the economy of the people employed in agriculture, I think the standard of living of those people will not go up, and therefore we should do everything possible to promote the improvement of cattle in the country. But we shall have to do it in a more scientific and rational way. If we are carried away by sentiment, I am afraid we will not go forward, and perhaps we will jeoparadise the interests of the cattle themselves.

As was said once upon a time, the problem of the cattle in this country is how to decrease their number. If we extend the argument of Shri Jhulan Sinha that we should not export anything which is required here....

Shri Jhulan Sinha: May I remove a misapprehension? I never said that all that is required here should not be exported. I said oil cakes and concentrates required for our cattle should not be exported.

Shri Oza: So long as we do not have sufficient cattlefeed concentrates, we should not export them. That is what he says. If you extend the same argument to human requirements, so long as a single child in this country goes ill-clad, we should not export cloth; so long as a single human being in this country does not have sufficient carbohyd rates by way of intake of sugar we should not export sugar. There are so many vegetarians in this country the fat content of whose diet is mainly vegetable oil. So, so long as they do not have vegetable oil in sufficient quantities we should not export oil. It will come to this. Then a backward economy like ours can never develop. If we want to step up exports and earn foreign exchange for bringing in plant and machinery, we have to tighten our belts and forgo our requirements for some time. Similarly, it may be that our cattle are not getting concentrates in sufficient quantity at present, but if we put a ban on exports, I am afraid the concentrates will not find their way to the mouths of cattle. The lot of the cattle will not improve, only we will lose earning foreign exchange.

If we want to improve the lot of our cattle, we should be very careful about the policy that we adopt. We should discard false and shallow sentiment and go ahead in a rational manner. Shri Jhulan Sinha said there were 30 crores of cattle in the country, out of which 16 crores were cows and 5 crores buffaloes, out of these 16 crores of cows and 5 crores of buffaloes, how many are yielding? A greater percentage of these cows and buffaloes do not yield, and we are feeding them at the cost of those that can yield a good quantity of milk. Therefore, we should isolate the non-yielding cattle and put them in *go sadans*. The idea of these *go sadans* is not being pursued vigorously now because there are pressures and pulls from various directions, and at least some of the State Governments succumb to them.

In season and out of season we are asking our Ministers to promote export. We have set up export promotion councils for this purpose, and we need foreign exchange badly for removing the poverty of the country. So, I think the remedy does not lie in banning exports for the present, but in following a wise and rational policy to improve our cattle wealth shedding all shallow sentiment.

Some Hon. Members *rose*—

Mr. Chairman: Only one hour is allotted for the Bill. I am afraid I have to call the hon. Minister.

Shri Jhulan Sinha: Let the time be extended by half an hour more.

Mr. Chairman: There are other Bills on the order paper. I do not think we can extend the time.

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): At the outset it is my burden duty to thank Shri Jhulan Sinha, as also the other speakers, not for the Bill that he has brought here, but for the love and affection that they have for the cattle of this country.

Shri Oza said that animal industry is next only to agriculture in this country. I feel that animal husbandry is the very foundation of agriculture in this country. If agriculture has to flourish and thrive, cattle has to thrive. Unfortunately in this country the love of the cattle-lovers has been misdirected; it is carried away more by senti-

[Shri M. V. Krishnappa]

ment than reason. They do not have a scientific approach to this problem.

After we became independent, the Government, because of public opinion in the country, had to pass certain legislations with a view to develop cattle. The most important of it is the ban on cow slaughter by most of the States. It is time for us to consider whether the ban has helped to develop our cattle wealth. I personally feel it is working adversely. The number of cattle is increasing day by day. Shri Jhulan Sinha said that the cattle population was about 30 crores. The live stock population in India is about 40 crores.

Shri Warior (Trichur): The livestock population is 40 crores, the human population is also 40 crores.

Shri M. V. Krishnappa: Yes. I did not want to compare livestock with men. Forty crores of livestock, including 30 crores of cattle, and 40 crores of human beings, both have to get sustenance from the same land. In that sense we may compare them. Our land resources are also limited.

In Russia I am they they have six to seven acres of cultivated land per individual, and they have any amount of land to cultivate. In America also it is about six acres of cultivated land per individual, and they also have any amount of land to reclaim. But in India it is not so. We have about 30 crores of acres under cultivation, and we have hardly two to three crores of acres left in the country to bring under cultivation. So, the land resources in India are very limited, whereas the population here is going up, the population not only of men, but also of live-stock. As a result of the ban on cow-slaughter, the number of cattle has increased in such a way that all useless, old and uneconomic cattle have got to be looked after in this country. We have 20 crores of cattle, 10 crores of sheep, goat, camels, donkeys and horses, and about 10 crores of poultry; that is how we have 40 crores of live-stock in our country. Out of these 40 crores, the cattle population is only 20 crores,—15 crores of cows and bullocks and 5 crores of buffaloes. The cattle population in India is increasing in such a way that the milk production is decreasing.

I had been to the best milk-producing countries in the world, namely the Scandinavian countries, Holland, Denmark etc. I found that they were having a scientific and rational way of improving cattle. They have a plan every year to reduce the number of cattle and increase the amount of milk in their country, and they are succeeding in it. They reduce the number of cattle, and consequently, the production of milk and milk-products is going up in their country. It is so in Denmark, Norway, Holland and so on.

Unfortunately, in this country, we want to save all useless, old and uneconomic cattle. And who is to look after them? Out of 20 crores of cattle, nearly 2 crores are uneconomic and useless cattle. To look after a cow or a buffalo is as burdensome as to look after a man. When even people are not looked after properly, how can we look after these 2 crores of cattle? Most of our people even do not look after their own parents when they become old; they neglect them. When that is the position, how can we expect the old cattle to be looked after by our people? Our farmers, therefore, even with the best of intentions, let loose their cattle, and they go about and graze on, other people's lands. In Punjab alone, today, there are 2 lakhs of useless stray cattle, eating and destroying crops. While in other countries, man eats the cow, here, in India, the cow has started eating the man. There are so many cattle here which are stray and useless, and they destroy our crops.

Of course, out of sincere love, and with the intention of developing the cattle wealth of our country, Bills like

these are brought forward. But if Government were to accept a legislation like this, then, instead of improving the cattle wealth, they would be adversely affecting our cattle population.

It is high time now for India to consider the question of reducing the number of cattle here, as Shri Oza has pointed out. That is the main problem today before the country. If only everyone in India knew that by giving more and more fodder to his cattle, he can improve the milk production, and get more milk, and such a fine protein food, which we call *amrit* in our country, then the condition of cattle would have been quite different in this country, and they would have been more useful to mankind than what they are today. Unfortunately, we are only worshippers of cows, and we never think of feeding them. In the houses of even the best protagonists of cattle wealth. I have seen cows tied in front of their houses in a starving condition and probably cursing the fellow for not having given enough food to them. That is the position in India.

So, the problem in India is to reduce the number of cattle and also upgrade the breed, because the breed is also very important. What is the position of our cattle in the eastern and southern States of India? We have the largest number of cattle in South India as compared to North India. In fact, I once went to your State, Sir, namely Orissa, and I was staying in a forest rest-house there. In the early morning, when I came out, I found that there were eight cows in front of my rest-house. I asked the man nearby why eight cows had been brought there. He told me that he had brought them to milk before me. I asked him how much milk after all would I require and why eight cows had been brought. He replied that all the eight cows put together might give just a seer of milk. That is the position in Orissa. If you go to Holland, Germany or Finland etc. you will find that a cow will give 35 lbs or 40 lbs on an average. In fact, there are cows there which give a maund of milk, whereas, here, a cow gives only about half a seer or sometimes even less than half a seer of milk. All this is happening because of the fact that we love these cattle, and we worship them, and that is why they are not giving us enough milk. This is so because our approach to the development of cattle wealth in this country has been a wrong approach. It is carried away more by sentiments and other things rather than by any reason. There is no rational approach towards the improvement of our cattle wealth.

So, I feel that in India, everyone of us who is interested in cattle, must take up the question of doing propaganda among the farmers that they should try to grow more fodder and feed the cattle more, so that the fodder may be converted into milk, and the milk yield may be more. In America, nearly 30 per cent of the land is devoted to fodder cultivation. In Russia, it is so. In all the European countries, nearly 30 per cent of the land is devoted to fodder. If a farmer has 100 acres of land, 30 acres are reserved for growing fodder, and cereals are grown only in the remainder. He grows fodder in 30 acres, converts it into silage, and gives it to his cattle; and the cattle converts that fodder into milk and gives also manure in addition. The milk is drunk by the man, and the nation drinks the milk; as for the manure, he gives it back to the soil. In that way, their agriculture is flourishing. Thus, cattle have been the foundation of their agriculture, because they feed them well.

But, in India, out of 33 crore acres of land, our farmers reserve hardly an acre for growing fodder. The fodder that we give to our cattle is not fodder at all. We give them only the remains, only the straw, and that too, straw which is fit only for packing purposes and not as fodder. The *bhusa* or *gehoom ka bhusa* that we

[Shri M. V. Krishnappa]

feed our cattle with is nothing at all compared with the fodder given to the cattle in other countries. So, it is necessary that our farmers should be told to grow more fodder in their fields. They should be told that 3 out of every 10 acres of land should be devoted to fodder cultivation so, that they can give that fodder to their cows or buffaloes. these cows or. buffaloes can convert the fodder into milk and manure; the manure can be given back to the land, thereby keeping up the fertility of the soil. That is the economy that we have to follow. But, unfortunately, we are not doing that. We are only interested in worshipping the cows. All our anxiety is only to stop cow-slaughter etc.

Now, coming to the Bill itself, I would like to point out that according to the figures that we have, we produce 4 million tons of oil-cake, (including cotton seed). Besides we produce bran and other types of cattle food. And do you think that all these 4 million tons are given to the cattle? If only we had given all of it to our cattle, our cattle would have been very happy, but it is not so. A significant part of our oil-cake production is used as manure. If we do not give fertilisers to our sugarcane-growers, tobacco-growers and chilly-growers, they use oil-takes as manure. That is how, all of the oil-cake that is produced in India does not go into the stomach of the cows but some of it goes directly as manure into the sugar-cane or chillies or tobacco fields. That sort of thing has to be prevented.

When we export oil-cake, of course, there is some control over the exports, but our main idea of exporting oilcake is this. We thought of exporting oil-cake with a view to earn the much-needed foreign exchange, for the import of fertilisers. Oil-cake has 7 per cent of nitrogen in it, whereas ammonium sulphate has 21 per cent of it, which means that instead of one ton of ammonium sulphate, our farmers have to use three tons of oil-cake. And the value of oil-cake per ton is much more than that of fertilisers per ton. So, we thought that by exporting a few lakhs tons of oil-cake, we could import three times or four times the quantity of fertilisers. Whatever money we earn by exporting groundnut and linseed oil-cakes was being used for the import of fertilisers which the country requires. These fertilisers are given to the farmers who use them as manure for their sugarcane, tobacco or chillies fields. In that way, India is exporting now and then some quantity of oil-cake, and that money is used again to import fertilisers, in the absence of which we would have used three times the oil-cake.

So at intervals Government consider these matters. Only when they feel that the production is also going up, export is allowed. As we go on exporting oilcake, the price also goes up. It gives an incentive to the farmer to grow more groundnut. This is so especially in Andhra where most of the groundnut is grown. If they get good price, they will grow more. If there are no good prices available, nobody will grow it. The production gets reduced. In recent years, the production of oilseeds has been going up. That is one way of producing more cattle feed concentrates in the country. We also enquire from the States and also look into the price of the cattle feed. I can say for the information of Shri Jhulan Sinha that in three years the price of oilcake, which is the most important cattle feed, that is, groundnut cake, has gone up by Rs. 1-8 or Rs. 2. If you look into the price of groundnut, you will see that the variation is so much. The price of groundnut or any other agricultural produce has risen more than that of oilcake. Though oilcake is very important for our cattle, we have to earn some foreign exchange because we have to import much-needed fertiliser and also some machinery. We require dairy machinery for which we have

to pay in foreign exchange. I am one who feels that as more and more dairies are established, more and more well, will the cattle be fed and looked after. We find that wherever there is a milk supply scheme, there the cattle are well-fed and well looked after. Also the breeds are upgraded, and the farmer gets more money out of the sale of milk.

In this way, we have to have an overall view of the situation. We have at intervals decided that we should export some cattle feed in order to import some of these things and also to earn foreign exchange. Otherwise, I entirely agree with Shri Jhulan Sinha that cattle feed is very very important, in a way much more important than the feed of mankind in the country. We feed the cow in order that it may feed us, give us more milk. Government have all these things in view. In view of all this, we are exporting some oilcake now.

I hope in view of what I have said, Shri Jhulan Sinha will withdraw his Bill.

Shri Warior: The position as explained by the Minister is not correct, because the statement which was made today in the House in reply to a Calling Attention Motion on the subject says something which is just the opposite.

Shri Braj Raj Singh: He has not read it.

Shri Warior: It says:

> "It was decided sometime ago to link the export of groundnut expeller cake carrying a good margin of profit with the export of groundnut oil to compensate the loss incurred in selling the oil at international prices. The gap between the internal and world prices widened further during the current year and this link of groundnut expeller cake became ineffective".

Mr. Chairman: That is a different matter.

Shri Braj Raj Singh: He did not look into that matter.

Shri Warior: It has become ineffective. That is what it says.

Shri M. V. Krishnappa: Then we have to stop it. Only when prices are attractive, people export. If there are no attractive prices, who will export it?

Shri Braj Raj Singh: The hon. Member is saying that the Minister's argument is not valid.

Shri Jhulan Sinha: I am thankful to those who have supported the motion for consideration. I would just draw attention of my hon. friend, Ch. Ranbir Singh, who unfortunately is not here, to one point. He perfectly misunderstood the intention of the Bill. This Bill does not ban the export of oilseeds. Of course, it may indirectly affect the export of oilseeds, as the hon. Minister has pointed out. But so far as it goes, the Bill clearly defines cattle feed as meaning 'oilcakes and other concentrates supplying necessary nutrition to the cattle and includes *guar* seeds and extracts like gum therefrom'.

So far as my hon. friend, Shri Oza, who also is not here, is concerned, he only argued by extending my argument to other spheres. I am one who has been studying the problem of cattle feed, slaughter of cattle and so on for a long number of years. I know the Government's position and therefore, I did not venture to join issue with them on that. I steered clear of these controversies and tried to put before the House a proposition that I expected would be acceptable. I only meant to ban the export of cattle feed meaning oilcakes and other concentrates which are meant not only for sustaining the cattle population in the country and developing it but also for developing the species, developing agriculture and improving public health, for which the Minister stands as much as we stand. Therefore, I was sorry to find that Shri Oza was extending my argument to other spheres, which I never meant. As an

[Shri Jhulan Sinha]

old Member of this House, I know the Government's policy in this regard. They want to permit export so that we may earn dollars and other foreign exchange to finance our development plans. I would be the last person who would in any way try to discourage exports from this country, specially when that course of action would be conducive to our larger interests. What weighed with me was not the amount of foreign exchange that the export of oilcake was earning but the loss that the country was suffering by the deterioration of the cattle wealth of the country, specially the milk yield and other necessary ingredients that the cattle of this country supply. So far as Shri Oza is concerned, he misunderstood my point and extended the argument to other spheres, which I never meant.

So far as the Government position is concerned, I am sorry I differ from them fundamentally. I have all along differed from them on this point. The hon. Minister talked about the evil effects of the ban on slaughter of cows in this country. I did not intend to join issue with him on that. This was a point which I never intended to cover in my opening speech, nor did I intend to allude to it in my reply. But as he has raised the point. I must deal with it. I feel that the State Governments which have banned the slaughter of cattle, especially cows, namely, the Governments of UP, Bihar, Punjab and other States have realised the importance of the problem. I do not think that the Governments of these States represent the interests of this land in any way less than the hon. Minister there. All of us are working for the uplift of the country; all of us have dedicated our whole life for the solution of the problems facing this country. But we have the right to differ from Government. We have felt all along that the ban on the slaughter of cattle has been imposed rightly, so that it might only enure to the benefit of the country. The deterioration that has taken place in a way which we never expected is due to something else, namely, that the Government have been dealing with this problem in a completely lopsided way. That is my feeling. The ban on the slaughter of cows has not added to the complexities of the situation. It has very much uplifted the country psychologically. It is not a matter of pure sentiment; it is sentiment based on reason. I think the whole history and culture of this country are based on the culture of the cow and the things for which the cow stands.

It is unfortunate that in Orissa, 8 cows had to be brought to give milk to the hon. Minister for his tea or the daily milk consumption. That is immaterial. The poor yield of those cows may be due to something else. I apprehend—I am not sure; you, Sir, may be knowing it better—that the breed and feed of the cattle there may be very poor. In my part of the country—I may be excused for saying that—the milk of 8 heads of milch cows would be sufficient for the whole lot of the Ministers here. That is the position. The hon. Minister knows that. If in some States, the cattle wealth is very poor it cannot be put forward as an argument for the whole of this country for effecting the slaughter of cattle or for ill-feeding them or dwarfing them or putting them in a way in which they cannot be milked.

He has also very eloquently laid emphasis on the scientific rearing of cattle, as is being done in other countries. The scientific method may be possible or plausible in the state of things in other countries, but our interests and our culture have to be judged in the state of things prevailing in this country. I never stood against cow-slaughter on grounds of sentiment. But even if that be the point, is it not the duty of the Government to take into consideration the sentiments of 22 crores of people living in his country professing a religion which is as ancient and as venerable as any other in the world? Is it not

their duty to take note of this sentiment and administer the country in a way which may enure to the benefit of this country? Scientific method of rearing cattle is certainly plausible and should be adopted. But it does not stand to reason to say that because there is some cattle feed in this country, therefore, it should be exported, especially when a portion of oilcakes is used as manure. Why not put a stop to that? You have got the power to do that. Come forward with a proposal to stop the use of oilcakes and other cattle feed for purposes of manure. You go on exporting it and importing fertilizers and giving them to the cultivators for increasing their yield. That is an argument which would stultify itself.

The third thing which the Minister has urged is to base our case on reason. We have all along held the view that the approach to the problem of the development of the cattle wealth of our country, especially the bovine species, has always been based on reason. The scriptures of the Hindus, of the Rishis and Maharshis who advocated the cult of cow worship and development of cow were never unreasonable. They had very good reasons. But the concepts and the reasons that appealed to them may not be appealing to us. But to say that they were not based on reason but merely on sentiment is not correct and I cannot accept that. They had their own reasons; and they were good for the development of agriculture, for the development of public health and for giving food to the people and for giving manure, in a way which might sustain human beings and others also who needed that food and crop. (*Interruptions*).

The last point that was urged—and that is the only point that touches my Bill—is that they have been exporting oil-cake because they find that these oil-sakes are getting a good price in the foreign market and are earning foreign exchange for us.

The foreign exchange earned by these oil-cakes is the weakest point in their export policy. They are exporting oil-cakes not for the reasons which they have urged. The oil-cakes are being mis-used for manure purposes in the country. The country lacks manure and they are used for that purpose. The hon. Minister of Agriculture has got statistics. He may come forward and say that the development of food in this country is being very much hampered by lack of manure. If any cultivator makes use of the oil-cake for his area, for his crop, what is wrong with it? You do not give him the manure that is needed.

It is said that the decrepit cattle wealth has increased in such a way and so enormously that the cattle eat up the whole food of the human beings. This is a position which only a Minister on those benches can take. I, as a fairly good kisan in my area, have never found any person feeding the decrepit cattle with jawar or oil-cake or cattle-feed concentrates and other things which are used for good cattle. They are just kept alive for some days or some months by putting them on grazing land or by giving them things which are not required for other good and useful cattle. They are maintained only on waste things.

Mr. Chairman: The hon. Member may conclude now.

Shri Jhulan Sinha: The last argument that I put forward is this. The so-called stray or uneconomic cattle give more than what they take. We give them only waste things; they give us cow-dung, skin and other valuable things. I have got figures to show that what is being spent on a head of cattle in the *Gosadan* is less than what the cattle give there. They are spending about Rs. 23 per head of cattle; and from the calculations I have made the output per head of cattle—these decrepit and uneconomic cattle—is about Rs. 35. What is talked of as being uneconomic is

[Shri Jhulan Sinha]

not uneconomic in reality. If people do not appreciate the sentiments and logic behind the care of cattle in this country we are helpless; we cannot make them understand things which they have not been able to understand.

Anyway, now the time is over, and my Bill has served the purpose for which it was meant. It was meant only to pin-point the attention of the House on the problem of cattle feed. I never intended to raise the ancillary problems which the hon. Minister has raised. I hope that this Government composed of people who have been in this field, as all of us have been, will be able to take note of the urgency of the problem and the requirements of this country. In this view of the matter, I would like to ask the House to permit me to withdraw my Bill.

Mr. Chairman: Has the hon. Member the leave of the House to withdraw the Bill?

The Bill was, by leave, withdrawn.

15.58 hrs.

ABOLITION OF EMPLOYMENT OF CASUAL LABOUR BILL

by Shri Aurobindo Ghosal

Shri Aurobindo Ghosal (Uluberia): Sir, I beg to move:

> "That the Bill to provide for abolition of the system of employing casual labour in the employments of permanent character be taken into consideration."

Mr. Chairman, Sir, my Bill reletes to the question of a section of people who are the worst sufferers in our society. They are the casual workers. They are employed in various spheres of our society, from agriculture to even highly developed industries. Unfortunately, no statistics are yet available about the number of casual labourers in our country, their spheres of work, their wage scales and their amenities. But we know that the system of casual labour, their method of recruitment, their working conditions etc. have been condemned since the British time. A Royal Commission was appointed. The labour investigation committee was appointed by the Government of India. Both of them have condemned the method of recruitment of casual labour, both in the public and private industries. They recommended speedy abolition of that system. This section of casual labourers are generally unskilled and as such are victims of exploitation. In the Government sector, a large number of casual labourers are employed in the railways and PT departments. In the private sector they are engaged through contractors in all sorts of industries because there are some restrictions about the direct appointment of workers on a casual basis. They are appointed as casual workers intentionally through the contractors. The supply of unskilled labour in our country is more. So, they have no determined or fixed scale of pay nor their wage is determined on the basis of supply and demand. Their wage is determined almost on the sweet will of the employers. In all industries where the employers or contractors can engage them, they dictate their wages and their terms. No legislation like the Minimum Wages Act is applicable to them and not even the bare necessities of an ordinary human being are considered by the employers while fixing their wages. Now a days, after a long fight, the temporary workers have attained some status not like the permanent workers in some industries. But the casual workers are the most neglected section. There is no definition of casual labour in any labour legislation. According to the Oxford Dictionary, casual means 'not regular or permanent.' So, casual worker is considered by some as tem-

porary worker or that his work is not of a continuous nature.

16 hrs.

A distinctive feature of the casual worker is that they are not given continuous service; they are deprived of the benefits of the permanent workers or even temporary workers. They are out of the purview of any labour legislation. They are daily-rated and they have no fixed wage scale. In the public sector, the Railways are the largest employers of casual labour and not less than two lakhs are employed by them. I would like to give one instance. In the engineering section, especially in the maintenance section, track section and other miscellaneous sections, a large number of casual labourers are employed. This does not mean that their jobs are casual. Their jobs are of a permanent nature; only the workers are casual. Some workers are working in the same job for several years—five or six years or even more. But the authorities manage to keep them casual by some means. After one month's service or even before the casual worker completes one month's service, when he will attain the status of a temporary worker —there is one day's break and after that he is re-employed. In that way his service is kept casual. This sort of practice is followed by the Railways and the P. & T. This is not only detrimental to the interests of the workers: it is bad from other aspects also. This breeds corruption. Everybody knows that the casual worker gets himself appointed at the end of a month as a new employee and he has got to pay some bribe to the overseers and engineers or other officers. In that way it is in the vested interest of the officials and engineers to continue them as causual workers. The P. & T. also follows the same procedure in respect of casual labourers.

The First Pay Commission recommended on page 192 as follows:

> "It has been our general recommendation that the daily rated system, whether in the Railways or in any other department under the P&T, where the nature of the work is casual, should be reduced to a minimum."

But, instead of being reduced, it has extended to other spheres also and I shall refer to some of them later.

In private factories, they are mostly employed through contractors. The tendency to employ casual workers has gone up with the progress of labour legislation. It is practised mostly by the small factories which want to avoid labour legislations. In the jute and cotton textile mills previously, they used to recruit casual labour direct under the name of *'badli'*. They used to be called upon when the permanent workers were absent. There was no certainty of service. If a person does not turn up for work, the person who is used to be waiting at the gate is called for work tha day and he is paid wages for that day, without any other amenity available to the permanent workers. Various tribunals have asked for the liquidation of this system but it is still continuing in another form. Since the last few years, the looms of jute mills are being sealed and opened at the sweet will of the mill-owners. When looms are being sealed, the permanent workers are retrenched or laid off or compelled to retire and when the very seals are opened again, then the *badli* workers are taken in the place of he permanent workers. That way, they deprive the employment of the permanent workers.

16.10 hrs.

[SHRI MULCHAND DUBE *in the Chair*]

The *badli* workers are also deprived of their privileges, because they are not considered as permanent workers.

Nowadays, Sir, in almost all the small engineering factories in my State employment of workers through contractors is in vogue. The contractors employ casual labour and they are their employers for all purposes. In

[Shri Aurobindo Ghosal]

that way, the factory owners are relieved of all the rigours of the different labour legislations. I know about one big engineering factory in my own constituency which employs 2,000 workers through three labour contractors. Only these three contractors are the employees of that factory. This factory supplies important railway materials like fish plates, etc., in huge quantities. The factory has got only three employees and 2,000 workers are casual workers who are actually doing the job for the last ten years. In that way they are depriving the regular workers of their right to become regular workers, permanent workers.

I would like to mention the instance of a transport company. The Joint Steamer Company of Calcutta is the only link between West Bengal, Assam and Bihar for carrying goods to Assam and for bringing tea from Assam to Bengal and Bihar. That company is running the biggest river transport in India. They carry tea from Assam to Bengal and also the articles required by Assam from Bengal. For loading and unloading the steamers they have got about eight stations in Calcutta. About 5,000 workers are employed there. They are doing this job for the last more than 50 years. They have been doing this same type of loading and unloading all these years. The work is also gradually increasing. Unfortunately, the whole lot of these 5,000 workers are casual workers employed through contractors.

There is one peculiar thing in this. It is very difficult to get hold of their main employers. The main employer is one company which employs some two or three contractors. Messrs. Bird and Company employ more than two lakhs of people in all parts of India on a casual basis. In an industrial dispute, the Government tried to fix the responsibility on the employers. The company evaded the whole issue and went out of the picture saying that they had got only three contractors as their employees. When the Government caught hold of the contractors, they said that they had under them 23 sub-contractors and those 23 sub-contractors were their employees. Those 23 sub-contractors said that they had appointed 94 sardars and it was ultimately found that those 94 sardars were the real employers of the casual labour. It was very difficult to get at those sardars who always worked under pseudo names. In other words, Sir, from the real wages of these casual workers, from Messrs Bird and Company to these sardars everybody is getting a share. If these workers are directly employed by the company, their wage scales and other things might be improved. Therefore, this sort of casual labour system should be done away with.

There were also some attempts made by some trade unions to fix up the relationship between causual labour and their employers. Under the Employees' State Insurance Act, the industries which come under the purview of the Act have got to pay their contribution to the workers. The legal fiction here is that these casual labourers should not be brought under the purview of workers as defined in the Industrial Disputes Act. I would like to give you one example. It is reported on page 1094 of the *Calcutta Gazette*, dated 10th April, 1958. This is a case between some engineering factory owners and their workers on the issue of the dismissal of 203 workers on the allegation that those workers were casual workers and were not directly employed by the company. The union pleaded that these workers came under the scope of the Employees' State Insurance Act and, therefore, they could not be called casual workers. The court found like this:

> "Here the principal employer is the company and the services of these workmen have been temporarily lent or let on hire to the principal employer by the contractors with whom these workmen

whose services are so lent or let on hire have entered into a contract of service. So contribution is payable by the Company for these workmen who come within the purview of the definition of employee in the Employees' State Insurance Act. But the definition of a workman as given in section 2(s) of the Industrial Disputes Act contemplates existence of direct relationship of employer and employee between the company and its workmen and labour employed through contractors is outside the purview of the definition of workmen in this Act (Industrial Disputes Act). So these workmen are employees of the company for the purpose of Employees' State Insurance Act, 1948, but not for the purposes of the Industrial Disputes Act. The definition of employee in the Employees' State Insurance Act is far wider than that of a workman in the Industrial Disputes Act and the result is that all workmen for purposes of Industrial Disputes Act may be employees under the Employees' State Insurance Act, but not *vice versa*."

In the end the court has observed like this:

"....there may be a suspicion that these contractors may have been set up to deprive the workmen of their dues, but mere suspicion is not enough and the court would not be justified to probe further into the terms and conditions existing between the Company and these contractors and to declare that these so-called contractors are but name-lenders to the company."

So, even the courts, due to the absence of legal definition or legal sanction, are unable to give any relief to the workers even though they wish to give it.

I would now like to give another instance as regards the recommendations of industrial tribunals, regarding decasualisation of casual labour in industries. I refer to page 600 of the *Calcutta Gazette*, dated 29th January, 1959. It is stated by the court as follows:

"The casual workers are appointed during full season according to requirement and Sardarni exercises the acts of supervision over them. The evils attendant on the system of recruitment of labour through an intermediary, were noticed by the Royal Commission of Labour in India and the Commission condemned the system. The system was also condemned by the Government of India, Labour Investigation Committee."

This was a dispute between the rice mill owners and their workmen. The court further said:

"As a matter of fact, the Association as late as in August last had expressed the willingness of the members to extend some facilities now enjoyed by permanent workers to the casual workers, who had put in 240 days of service in a year. In my view, a certain percentage of the present casual workers can be made permanent without experiencing any difficulty, economic or otherwise. I, therefore, direct that 20 per cent. or one-fifth of the total number of casual workers employed, on an average on a day in the last year, be made permanent...."

I have given these illustrations because, sometimes, if relief is to be given to the casual workers, it depends upon the sweet will of the particular industrial tribunal, and they cannot give it on the basis of any legislation. Therefore, the system of casual labour should be abolished and decasualisation as recommended by several committees earlier, should be expedited.

This system of casual labour has been extended also to other spheres.

[Shri Aurobindo Ghosal]

For instance, in Calcutta, in the mercantile offices, the clerks and even the typists, at the present moment, are appointed on a casual basis. If they attend office for a full day, they are paid at the rate of Rs. 1-8-0 or Rs. 2 a day. They are generally retired employees from the services and they are employed on these jobs, so that the companies are relieved of giving the dues to them as for regular employees on the clerical staff. Thus, clerical staff is also employed on a casual basis. There are so many mercantile firms, whom I know personally, which follow such practices. In spite of the recommendations of several committees and in spite of condemnation of this system by different Awards, this system of casual labour is being extended from the sphere of the working classes or workers to the clerical staff also.

Therefore, the time has come when the Government should formulate some legislation in order to stop this nature of work. With this purpose, I have brought in this Bill in order to end or restrict the nature of casual work. I have suggested in the Bill that after three months' work, whatever might be the length of work, every worker should be considered as a permanent worker. At least the Government should come out with some legislation by which the companies will be bound to declare those workers as permanent workers when their jobs are permanent. I have already given instances in the case of transport companies and engineering factories. While certain factories are going on manufacturing things for several years—40 to 50 years —still, how can they go on engaging men on a casual basis and call them casual workers through contractors *ad infinitum*? There must be an end to this system.

With these words, I commend my Bill to the acceptance of the House.

Mr. Chairman: Motion moved:

"That the Bill to provide for abolition of the system of employing casual labour in the employments of permanent character be taken into consideration".

Shri S. M. Banerjee (Kanpur): Mr. Chairman, Sir, I congratulate my hon. friend, Shri Aurobindo Ghosal, for bringing in this Bill and I support the Bill. In his speech, he has mentioned the position of the casual employees both in the public and the private sectors. Many questions have been asked in this House as to when Government are going to take a decision to decasualise the casual workers in the railways. First of all, I would try to mention something of the public sector, and then say what is happening in the private sector.

Who is a casual worker? Casual worker, according to the definition given by various authorities, is that worker whose job is for a specific period. I can understand if Members of this House or Ministers are termed as casual workers, because we know the period which is fixed as five years. It is a specific period. Our job may be permanent, but because of the democratic tradition, I may be there or may not be there. Things are easier in the Rajya Sabha, but in the Lok Sabha, where direct election is the practice, it is a problem, and so we know our period, namely, that we have to be here for a specific period, and so we can be termed as casual workers. But in an expanding economy or in a developing economy of ours, where we are thinking in terms of expansion of heavy industries or expansion of the existing industries, we cannot possibly think hat the workers from year to year will remain as casual employees.

I may now trace the history of the casual workers in the public sector. I must congratulate the Labour Ministry and the various other Ministries for abolishing at least the term "extra temporary establishment" or "extra temporary artisans" from the various Ministries. I remember the period in 1947, when all such hands were discharged on 31st March. It was the parctice during the years preceding it

also. They were technically discharged on the 31st March of every year and were re-employed on the 1st April of the next clandar year. The idea was not to give any benefit to those employees. But after 15th August, 1947, after Independence, steps were taken, and now we can say with confidence that at least in the public sector, though a large section of employees have not been made permanent, still they are temporary or regular employees.

But in the railways, especially, my attention was drawn to the condition of casual employees in the South-Eastern Railway. The condition must be similar in all the railways but specially in this particular railway the number of casual employees is much more according to my information—I am speaking subject to correction—than in any other railway. Recently, after the strike, nearly 400 regular employees have been made casual employees. Here we are discussing how casual workers can be made temporary or even permanent according to Shri Aurobindo Ghosal, but after the strike, men had been penalised in such a way that they have lost their jobs first and then they have been reinstated, re-employed or re-entertained as casual employees. So, I request the Deputy Minister to consider this matter and make a reference to the Railway Ministry if possible and if he thinks proper.

There are various forms of casual employment. In defence establishments, in the ordnance depots, in the technical development establishment or in the ordnance factories, some orders were issued that if a worker continues for more than six months, then he will become a temporary employee. I am thankful to the Defence Minister for ths particular order, but unfortunately in many establishments these orders have not been implemented, with the result that after having working for 6 months or even 2 years, a worker remains casual.

In the CPWD, the workers under work-charged establishments are also practically casual workers. I am grateful to the hon. Minister for taking certain steps to bring them to the temporary establishments. Now a particular work load has been assessed and the department knows fully well that in the CPWD, Defence or Railway establishments, they are public sector concerns which are expanding. We cannot possibly anticipate that with the present tension at the international level our defence production will be less. So, we can safely assess our requirements and declare the men permanent.

The same applies to Construction work in the CPWD. We actually see how Delhi has expanded twenty times and it is still expanding. So, in the CPWD also those working under work-charged establishments can be made permanent or at least temporary for the time being, because as temporary employees they can get the benefit of provident fund, gratuity, etc., which otherwise they are not entitled to get.

In regard to contract labour, I understand the difficulty of Government they may say, what will happen in those projects which are completed after a specific period? We cannot possibly expect that a particular project will not be completed. Take the unskilled or semi-skilled workers in various dams and projects. After the completion of the project, there will be an army of unemployed people. Steps are being taken to re-absorb them in other projects. So, it can be argued. "How do you expect that particular workers, casual or temporary, to be made permanent?" My suggestion is, let there be a pool of such workers and let the same workers who have worked in, say, Bhakra dam, be shifted to some other dam after Bhakra dam is completed, so that there may be continuity of service.

The worst thing about casual employment is, he is not entitled to any social security like provident fund, leave, holidays, medical aid, etc. There is no social insurance in his case. So, if a pool is created, a roster is made of such employees whose work is likely to be completed within, say, six

[Shri S. M. Banerjee]

months and his continuity in employment is ensured, this problem can be solved to a great extent.

In the Survey of India under the Scientific Research Ministry, there is a category of employees working on the departmental leave system; they form nearly 40 per cent of the total number of employees. This worker works for a survey in a particular field for six months and for the other six months he gets only a meagre portion of his salary, say, Rs. 8 or Rs. 10; he does not get any D.A., house rent allowance, city allowance, etc. There was some struggle by the workers of the Central Tractor Organisation where also the departmental leave system was applied. The entire matter was referred to adjudication before the Chief Labour Commissioner. I did not see that report, but I saw another report concerning the same thing where it was stated that the departmental leave system is injurious; it does not give a feeling of security to the worker and so it should be done away with.

Take the hot weather establishments in hot weather, the *khas khas* boys who are employed to sprinkle water on *khas-khas thatties* for three or four months are given only Rs. 30 per month and no D.A. In the Central Government, where an ordinary worker gets Rs. 80 or Rs. 90, a casual worker doing practically the same unskilled job for the entire day gets only Rs. 30. A question was raised by us not in the House, but outside as to whether a minmum wage should be established for such workers for three months. The reply was, there is no special grant for them and this expenditure is met from the incidental or miscellaneous expenses as hot weather establishment; we are getting enough people from the employment exchange at Rs. 30. I asked some of the workers not to work on Rs. 30 and not to work unless they are given the minimum wage. The I was asked by one worker. "Are you in a position to give me Rs. 30 from your pocket?" I could not reply, because the poverty is so much and unemployment is so great that people are prepared to work even for Rs. 15 or 8 annas per day. I have given some examples in the public sector, supposed to be model employers. I would like the hon. Deputy Minister to give some reply to this.

The Deputy Minister of Labour (Shri Abid Ali): Where are they employed?

Shri S. M. Banerjee: In Kanpur, Delhi, etc. on Rs. 30 or Rs. 35. They are given jobs under the station order at daily rate of pay.

Shri Abid Ali: You are wrongly informed.

Shri S. M. Banerjee: My knowledge is limited and I speak subject to correction. I accept the Deputy Minister is a moving encyclopaedia. These are employed by the station officers of SSO and their pay is not more than Rs. 30 in the cantonment area.

Shri Abid Ali: I request the hon. Member to give more details, because I still assert that this information is wrong that in Government employment there are persons who are getting only Rs. 30.

Shri S. M. Banerjee: I am speaking of the hot weather establishment—*khas-khas* boys, etc.—appointed during summer. All the Government buildings are not air-conditioned.

Shri Abid Ali: Is he sure they are getting only Rs. 30?

Shri S. M. Banerjee: Rs. 30 or Rs. 40, I am not sure.

An Hon. Member: He is coming down.

Shri S. M. Banerjee: But they are not getting the minimum wage given to an ordinary regular employee of the Central Government.

Shri Abid Ali: Does the hon. Member stick to his statement that they get in all Rs. 30 only?

Shri S. M. Banerjee: They are not getting any D.A.

Shri Ra[illegible]nath Singh (Varanasi): How can they get it? They are only casual labour.

Mr. Chairman: He should conclude now.

Shri S. M. Banerjee: I will say a word about textile workers. The hon. Minister knows the condition of the substitutes who are called *badlis*. They get employment for 5 days in a month or for two days in a week. There is an army of substitute workers either in Kanpur or in other places in the textile mills. I would request the hon. Minister to kindly consider this matter. Whether casual employment is necessary for other purposes is a different matter. But I have suggested that where there is construction work, which is likely to be completed soon or in a short time, there should be a common roster of those unskilled workers and the same workers should be provided alternative jobs in construction works in other places and, in this way, the continuity of their service is maintained. With these words, I support the Bill and I would request the hon. Deputy Labour Minister to tell me what the water boys in Kanpur and other places are being paid. I would like to challenge him whether they are being paid more than Rs. 30.

Shri Abid Ali: Then will the hon. Member promise not to make incorrect statements?

Shri S. M. Banerjee: I am sorry, I could not hear him.

Shri Abid Ali: When he gets this information, will he promise not to make incorrect statements in future?

Shri S. M. Banerjee: As a personal explanation on incorrect statements I may say that the hon. Deputy Labour Minister has monopolised the making of incorrect statements and I can establish this if I am given a chance. Now he takes the protection of the treasury benches and, unfortunately, I am only here. Otherwise, I would have established them. He has tried to ridicule us but, unfortunately, he has only ridiculed himself * * *.

Dr. Melkote (Raichur): This question of the employment of casual labour is a very serious one and it has now become nationwide. A remedy for that is rather difficult to seek but, even so, a remedy has to be found, and found quickly and effectively. I welcome the Bill that has been brought forward on this subject by Shri Aurobindo Ghosal. But I personally feel that the remedy he has sought by this Bill is rather not sufficiently effective. It is not enough. The amendment that he has sought to bring in through this Bill does not confer on the workers that amount of security that one would wish for. We in this House have been speaking of unemployment and employment of casual labour several times in recent times and we can say some improvement has taken place. We cannot deny that. Even so, as I said, it is nationwide and extensive. It affects many people in many sectors, whether it is Defence, C.P.W.D., railways or public sector or private sector industries.

The question arises: what is the matter and what is the remedy? On the one side, there is the exploitation of labour and, secondly, the availability of manpower. I remember in this connection a nice story I happened to hear immediately after world war I as to what happened in Germany when demobilisation took place. A medical man went in search of a job to another part of the country and saw another person waiting there. He asked him "What is your position here? He replied: "My position is the tenth unpaid assistant to the third paid assistant". That seems to be the situation in India today. The manpower is very large. So, contractors and others try to exploite this manpower. That is one side of the picture.

***Expunged as ordered by the Chair.

[Dr. Melkote]

There is the other side of the picture. This is allowed to take place in the public sector and in the various Government departments, which is a very serious affair. Nobody could deny that this should not take place. But it is there. Casual labour is taken by Government under various guises; you may call them, temporary, extra-temporary, casual, work-charged and so on, so many other denominations, but, all the same, they cover the same group of workers. But the term "casual labour" has a special connotation in the sense that such an employee is not temporary and so he cannot aspire to become permanent. He will always remain casual and he can be thrown out at any time. It may be that he may get a little more than a temporary or permanent employee in terms of daily wage but his insecurity of employment is very very great. In big construction works like dams, and other public sector undertakings where the contractors engage many of these people, and also in the sugar factories and farms many of these casual labour are employed, thousands of them, and retrenched within a period of three, four or six months.

As I said, Government is aware of the problem and it is trying to do its best. But even a fringe of the problem has not been touched so far. By whatever name you may call them, I do not see why the benefits that should accrue to the permanent workers should not be given to the casual labour. He should be paid very much higher emoluments during his employment of three or four months. Also, provident fund and other security measures should be offered to him. In that case, in spite of the nomenclature, the difficulties that he encounters would not be as much as it is obtaining now.

In clause 4 of the Bill Shri Ghosal says that any casual worker, who shall complete three months' service on the date this Act comes into force, shall be considered as a permanent worker. While that should be the aspiration of everybody that such an eventuality should take place, in a developing economy like ours, where our employment potential is very small, it is certainly very very difficult for anybody to implement. Even if Shri Ghosal should get into the Government, and at that time someone brings in a Bill of this type, he will reply that it is very difficult to implement. It is only people who are in charge of administration that know the practical difficulties.

Even so, the amendment that I would like to bring forward to this is, though I have not sponsored this, that any casual labour who has put in three months' service on the date of this Act should get every type of amenity that a permanent worker gets. Such a change in the Act would certainly benefit the casual worker. Unless this is brought forward, I personally feel that this by itself will be like saying "I have sympathy for the casual workers, but I cannot help them". I would therefore say that this amendment of mine should be accepted and the measure should be passed.

Shri M. C. Jain (Kaithal): Shri Ghosal has drawn the attention of this House and, through this House, the attention of the country to a very vital problem and I congratulate him for doing this. But I believe, as the previous speaker has stated, the present Bill does not go far enough. However, he has done well in drawing the attention of the Government towards this vital problem.

There is no doubt that this business of casual labour and its counterpart in the Government departments, the work-charged establishment, breeds corruption. There is no doubt about that. So, we have to devise methods as to how we can stop this or reduce the extent of this problem. So far as I can see, casual labour can be divided into two parts. Firstly, there are workers who continuously

work for a period of time and they will continue to work even in the future. Yet, they are kept work-charged or casual. I have no doubt that they can be absorbed as permanent employees, either in the industry or in the Government departments. I think the Minister and the Government know that there are innumerable such persons working in the factories in the private sector as well as in the Government departments. In the State P.W.D., Central P.W.D., railways and so many other departments innumerable persons are working as work-charged staff.

Those people have been working in that capacity for a long period and there is no indication that their work will stop or those jobs will cease to be there. Yet, they are kept as workcharged. Therefore so far as this class of workers is concerned I see no reason why the Government should not step in and do something concrete for them.

Then there is the other class of workers who work either in Government departments or in factories for a few days or for a month or so. It is difficult to give such workers any help, so far as this Bill is concerned. I think the hon. Deputy Minister will tell this House how he proposes to help the first category of workers that I have mentioned.

As I mentioned earlier, this Bill does not go far enough. It says that a worker who has worked for three months on the date of the enforcement of this Bill will be deemed to be a permanent worker. Suppose, a worker has not completed three months when this Act comes into force and the three months expire after some time. Then will he not be considered a permanent worker? So there is a defect in the drafting of this Bill.

Similarly, clause 3 provides that no factory will employ a man as a casual worker in the permanent job. Suppose a factory does so. He has not provided for any punishment, if a factory does so. There is no clause under which that factory can be taken to task. I have just mentioned a few defects.

So far as this Bill is concerned, it cannot be accepted in its present form. I do not, of course, oppose it. But I commend to the hon. Minister that he should pay sufficient attention to this problem. Some concrete remedy should be found out for solving this problem which affects the weaker sections of our population. There is no doubt about it that in 99 per cent cases this casual labour comes from the weaker sections of our population. I am very sorry to say that those weaker sections are exploited the most in our country. They have to be helped. As was mentioned just now, they are poor. They are unemployed and they can be exploited because of their poverty. So the Government has to come to their rescue. At least those workers whose positions of jobs are of a permanent nature but still whose incumbents are on the workcharged list, can at once be brought on the permanent cadre.

With these remarks I congratulate Shri Ghosal for drawing the attention of this House and the country to this vital problem. I hope the hon. Minister will give us some hope by saying that he is contemplating some solution of this problem.

श्री रघुनाथ सिंह : सभापति महोदय, इस विधेयक की आत्मा बहुत सुन्दर है लेकिन काया उसकी ठीक नहीं है । सामायिक श्रमिकों की जो परिभाषा की गई है वह परिभाषा व्यापक नहीं है और वह संकुचित है । सामायिक श्रमिकों में और इंडस्ट्रीज में जो ठेके पर काम करते हैं, उनमें बड़ा भारी अन्तर है । जैसे कि एक लेबर है कोई एक श्रमिक ग्रुप है जिसको कि ३, ४, या ५ महीने के ठेके पर सर्विस में ले लिया जाता है तो इस बिल के अनुसार अगर

[श्री रघुनाथ सिंह]

वह आदमी तीन महीने से ज्यादा काम करता है तो वह सामायिक श्रमिक में आजायेगा। इस वास्ते इस विधेयक में यह सबसे बड़ा दोष है।

दूसरी बात मैं यह कहना चाहता हूं कि जहां तक इंडस्ट्रीज का सम्बन्ध है और किन्हीं इंडस्ट्रीज के लिए यह विधेयक यहां पर उपस्थित किया गया है जैसे कि धारा ३ में संकेत मिलता है। उस के अनुसार जैसे कि कौटेन मिल है, स्पिनर्स हैं, वीवर्स हैं, ३, ४, ६ या ७ महीने के वास्ते रक्खे जाते हैं लेकिन उनको वह सुविधाएं प्राप्त नहीं होती जो सुविधाएं कि स्थाई श्रमिकों को प्राप्त होती हैं। अगर उसका हाथ टूट जाय तो उसको स्थाई श्रमिक की भांति सुविधा और राहत नहीं दी जाती है। ऐक्सीडेंट की हालत में उसको वह सुविधा नहीं मिलती है। स्पिनर्स और वीवर्स के अलावा प्रेसों में कम्पोजिटर्स होते हैं और उनको ३, ४ महीने के वास्ते काम पर लगा लिया जाता है और अगर बाद में आपस में मेल नहीं खाया, पटरी नहीं बैठी तो उसका पत्ता काट दिया। मैं चाहता हूं कि इस तरह की चीज दूर होनी चाहिए।

एक उदाहरण मैं और दूं और वह रेलवेज का है। रेलवे की पटरियों पर काम करने वाले काफी मजदूर होते हैं। एक एक, दो दो और तीन तीन वर्ष तक वह रेलवे की पटरियों पर काम करते हैं। कंकड़ उठाते हैं, ढोते हैं और फेंकते हैं लेकिन उन बेचारों की कैजुएल लेबरर्स की तरह से ट्रीट किया जाता है और उनको कोई सुविधा नहीं दी जाती है। इस वास्ते मैं अपने श्रम मंत्री महोदय से जो कि अपने जीवन के प्रारम्भ काल से ही लेबर में दिलचस्पी रखते हैं और सदव मजदूरों की बहबूदी के लिए प्रयत्नशील रहते है, उनसे मैं निवेदन करूंगा कि इस विधेयक को चाहे वे स्वीकार करें या न करें लेकिन एक बात तो बिलकुल निश्चत है कि यह कैजुएल लेबरर्स के नाम पर इंडस्ट्रीज में, रेलवेज में और दूसरे उद्योगों धंधों में बड़ा अन्याय हो रहा है और इस अन्याय को रोकने का कोई न कोई प्रबन्ध होना चाहिए।

मैं समझता हूं कि श्री अरविंद घोषाल ने आज सदन के समक्ष जो विधेयक विचारार्थ पेश किया है उसके द्वारा सारे भारतवर्ष का ध्यान इस समस्या की ओर आकर्षित हो गया है। कैजुएल लेबरर्स के नाम पर आज जो हमारे बेचारे मजदूर और श्रमिकों पर अन्याय हो रहा है उसको रोकना चाहिए। इस वास्ते मैं इस विधेयक की आत्मा और उसके भाव का तो समर्थन करता हूं लेकिन उसके साथ ही यह भी कह देना चाहता हूं कि उसकी काया ठीक नहीं है।

Shri Warior (Trichur): Sir, this problem is a very wide one and at the same time, a very vast one. The system of casual labour has become almost a permanent feature in all the fields of employment not only in the public sector, but also in the private sector. Their lessons are more drawn from the public sector enterprises than from the private sector enterprises. It has come to that. In 1947, when we gained Independence, there was some question raised about the system being ended. But, actually, it was from that time that this system has become almost permanent. Before that, it was only casual. Because, casual labour is employed only for casual purposes for casual jobs. But, for ordinary regular jobs which ran throughout the year without even seasonable breaks, this casual labour system was never adopted in Indian industries. As far as we could understand, there was casual labour, but only for those purposes which are casual, only for seasonal or that sort of employment. But, from 1947, this has become a permanent feature, especially in the public sector. For instance, the biggest employer in the

country is the Railway Board which has got a vast net work of employment throughout the country. In the Railways, there are about 200,000 or more of casual labour today, who are working regularly throughout the year, and for a number of years also. For instance, there are workers who have been in the Railways for a decade and still they are called casual. The break is fictitious. The casual labourers are asked on the 30th of June and 31st of December to leave the job for that day. On the next day itself, the man is put on the same job. What is the difference between this and their being made permanent? If they are made permanent, there are certain benefits accruing to them which can be denied for these workers although for all practical purposes, they are as good as permanent workers, or for that matter, even temporary workers. But, they are not given. Because, in the Railways, when an ordinary temporary worker is paid Rs. 2-8-0 per day, these casual workers are paid not more than Rs. 1-4-0 or Rs. 1-6-0. That depends upon the market rate prevailing in the particular labour market. If labour is cheap as, for instance, in a famine area, this rate may even go down, but it never goes up to the minimum recommended by the Pay Commission and accepted by Government. The minimum wage for an ordinary worker who is made either temporary or permanent is Rs. 30 plus a dearness allowance of Rs. 40, making a total of Rs. 70. But casual labour is paid Rs. 35 or at the most Rs. 40 only, though for all practical purposes the person is permanent or at least temporary and can be made permanent.

17 hrs.

This is the case not only in the railways. The railways, being the biggest employing agency, have got the maximum number, but this is the case in the dockyards also. In the Cochin Port dockyard, for instance, there are two to three thousand workers. They find work in one part of the dockyard or other. They work throughout the year without any break at all. Still, for a number of years during which the port has been developing, these workers have been treated as casual labour, and denied all benefits and emoluments due to them as permanent or temporary workers.

Mr. Chairman: The hon. Member may continue on the next day.

17.02 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, November 28, 1960/Agrahayana 7, 1882 (Saka).

GMGIPND—LS II—1372 (Ai) LSD—25-11-60—

[*Friday, November* 25, 1960/*Agrahayana* 4, 1882 (Saka)]

COLUMNS

ORAL ANSWERS TO QUESTIONS . . . 2235—70

S.Q. No.	Subject	Columns
453.	Discovery of sulphur pyrites in Bihar	2235—40
455.	Land routes to Goa	2240—42
456.	Rebate to handloom weavers in U.P.	2242—44
458.	Coalfield Recruiting Organisation	2244—45
459.	Transistor radios	2246—49
460.	Heavy Engineerng Corporation	2249—54
461.	Committee on allotment of Government quarters	2254—55
462.	Disucussion about Goa in U.N.O.	2256—60
463.	X-Ray equipment	2260—61
464.	Sindri Fertilizers and Chemicals Ltd.	2262—64
465.	Consumption of exportable items	2264
482.	Subsidy for export	2264—65
491.	Export promotion	2265—67
466.	Control and Inspection of Atomic Establishments	2267—70

WRITTEN ANSWERS TO QUESTIONS . . 2270—2327

S.Q. No.		
454.	Micanite	2270
457.	Public Undertakings	2270—72
467.	Financial assistance to States	2272
468.	State enterprises	2273
469.	Trade with African countries	2273—74
470.	Coir Industry	2274
471.	Exploration of minerals	2275—76
472.	Atomic Power Station	2276—77
473.	New A.I.R. stations	2277—78
474.	Handloom Weavers in Andhra Pradesh	2278—79
475.	Visa restrictions on Indians in Thailand	2279
476.	Wire-broadcasting project	2280
477.	Survey of Indian ocean	2280
478.	Small Scale Industries	2281
479.	Indians leaving African countires	2281—82
480.	Fertilizer factory in U.P.	2282

WRITTEN ANSWERS TO QUESTIONS—*contd.*

S.Q. No.	Subject	Columns
481.	Industrial process instruments	2282—83
483.	Foreign goods in Indian markets	2283
484.	Indian businessmen supplying articles to Chinese	2283
485.	Hospital at Madras	2284
486.	Assam Rifles	2284—85
487.	Sub-soil water level in Delhi	2285
488.	Workers in Public Sector	2285
489.	Extradition Treaty with Pakistan	2286
490.	Manufacture of watches	2286—87
492.	Alarm clocks	2287
U.S.Q. No.		
397.	Tibetan refugees	2287—88
780.	Survey of contract labour	2288
781.	Indians kidnapped by Pakistanis	2288—89
782.	Production of automobiles	2289—90
783.	Motor cycles and Scooters	2290—91
784.	Ball and roller bearings	2291—92
785.	Power driven pumps	2292—93
786.	Export of beef and cow skins	2293—94
787.	Small Scale Industries in Maharashtra	2294
788	Recording of events connected with Mahatma Gandhi's life	2294—95
789.	Isotopes	2295
790.	Small Scale Industries in Rajasthan	2295
791.	Migration from Ceylon to India	2295—96
792.	Release of Wakf property	2296
793.	Bharat Sewak Samaj in Uttar Pradesh	2296—97
794.	Passports for China	2297
795.	Bharat Sewak Samaj in Orissa	2297—98
796.	Tibetan delegation to U.N.O.	2298
797.	Loans to displaced persons	2298—99

WRITTEN ANSWERS TO QUESTIONS—*contd.*

U.S.Q. No.	*Subject*	COLUMNS
798.	Okhla Industrial Estate	2299
799.	Agricultural tractors	2299
800.	Sale of car by a foreigner	2300
801.	Beggars	2300–01
802.	Irrigation works	2301–02
803.	Film production Bureau	2302
804.	Auction of evacuee plots in Punjab	2302–03
805.	Indian cement factory in Pakistan	2303
806.	Dams under Dandakaranya Scheme	2303–04
807.	Printing and Writing paper mills in U.P.	2304–05
808.	Export of Sole Crepe rubber	3305
809.	Report of the Economy Committee for Printing	2305–06
810.	Export of manganese ore	2306–07
811.	Promotion of exports	2307
812.	C.P.W.D.	2307–08
813.	Constructin of a hospital in Tripura	2308
814.	Naga hostiles	2308–09
815.	Coffee	2309
816.	Newsprint quota	2310
817.	Heavy Machine Tool Plant	2310–11
818.	Effect of Wages on Agricultural Prices	2311–12
819.	Crafts Museum	2312
820.	Mica bricks	2312–13
821.	Civil Administration in Public Undertakings	2313
822.	Indian Embassy at Bonn	2313
823.	Employees' State Insurance Act	2313–14
824.	Cement Plant	2314
825.	Dry milk powder	2314—16
826.	Cooperative Tea Factory at Kangra	2316
827.	Indian Aluminium Company	2316
828.	Fire in Pure Jharia Colliery	2317
829.	Japanese Delegation on Cottage and Small Scale Industries	2317–18
830.	Irrigation projects	2318–19
831.	Tea plantation in Palampur	2319–20
832.	Phizo's campaign in U.K.	2320
833.	Price of rubber	2320–21
834.	Industrial estates in Kerala	2321
835.	Subsidy for replanting rubber	2321–22
836.	Bye-products of salt	2322
837.	Trade Unions of C.P.W.D	2323
838.	Import of dental goods	2324
839.	A.I.R. Cuttack	2324–25
840.	Handloom weavers	2325–26
841.	Naga hostiles	2326–27
842.	Industrial survey of Rajasthan	2327
843.	Visit of Netaji Su hash Bose's daughter to India	2327

MOTION FOR ADJOURNMENT . . . . 2327—32

The Speaker withheld his consent to the moving of an adjournment motion given notice of by Sarvashri S.M. Banerjee and Tangamani regarding the situation arising out of the recent disturbances in the modern Satgram colliery near Asansol.

PAPERS LAID ON THE TABLE 2333

(1) A copy of each of the following Notifications under sub-section (3) of Section 13 of the Central Silk Board Act, 1948:

(i) G.S.R. 1291 dated the 5th November, 1960 making certain further amendments to the Central Silk Board Contributory Provident Fund Rules 1955.

(ii) G.S.R. 1326 dated the 12th November, 1960 making certain further amendments to the Central Silk Board Rules, 1955.

(iii) G.S.R. 1327 dated the 12th November, 1960 making certain further amendment to the Central Silk Board Study Leave Rules, 1955.

PAPERS LAID ON THE TABLE—*contd.*

COLUMNS

(2) A copy of Notification No. A.E. Ind. 1(90)/60 dated the 20th October, 1960 regarding the appointment of an Expert Committee on the manufacture of a low cost car in India.

(3) (i) A copy of the Annual Report of the Praga Tools Corporation Limited, Hyderabad for the year 1958-59 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of Section 639 of the Companies Act, 1956.

(ii) A copy of the review by the Government of the working of the above Corporation.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE . 2334-35

Shri P. Kunhan called the attention of the Minister of Commerce and Industry to the situation arising out of the policy of the Government allowing exporters of groundnut oil to import coconut oil and copra.

The Deputy Minister of Commerce and Industry (Shri Satish Chandra) laid on the Table a statement in the regard thereto.

BILL INTRODUCED . . 2339

Tripura Excise Law (Repeal) Bill.

BILL UNDER CONSIDERATION . . . . 2339—92

Further clause-by-clause consideration of the Companies (Amendment) Bill, as reported by the Joint Committee continued. The clause-by-clause consideration was not concluded.

COLUMNS

REPORT OF COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS ADOPTED . . 2393

Seventy-second Report was adopted.

PRIVATE MEMBERS BILLS INTRODUCED . 2393-94

(1) The Industrial Disputes (Amendment) Bill, 1960 (*Insertion of new Chapter VAA* by Shri T.B. Vittal Rao.

(2) The Employees Provident Funds (Amendment) Bill, 1960 (*Substitution of new section for section 6*) by Shri T.B. Vittal Rao.

(3) The Charitable Trusts Bill, 1960 by Shri Ram Krishan Gupta.

PRIVATE MEMBER'S BILL WITHDRAWN . . 2395—2429

Shri Jhulan Sinha moved for consideration of the Ban on Export of Cattle Feed Bill, 1958 and also replied to the debate thereon. The Bill was withdrawn by leave of the House.

PRIVATE MEMBER'S BILL UNDER CONSIDERATION 2429—52

Shri Aurobindo Ghosal moved that the Abolition of Employment of Casual Labour Bill, 1958 be taken into consideration. The discussion was not concluded.

AGENDA FOR MONDAY, NOVEMBER 28, 1960/AGRAHAYANA 7, 1882 (*SAKA*)—

Further clause-by-clause consideration of the Companies (Amendment) Bill and passing of the Bill.

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